

**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Kaneski, Director

Eval 059  
EAF 035

February 22, 2010

Mr. Aaron Smith  
1515 Nicholas Road  
Dayton, OH 45418

RE: NOV/Partial RTC  
DuPont Electronic Polymers OHD 004855292  
Permit number 05-57-0433

Dear Mr. Smith:

On January 22, 2010 George Strobel, Laura Marshall and I conducted an inspection of the DuPont Electronic Polymers facility. The purpose of our inspection was to determine your 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) and to determine your compliance with DuPont's Ohio Hazardous Waste Installation and Operation permit number 05-57-0433 as renewed on April 21, 2004. In a break from our standard practice, I provided you three days advance notice of the inspection. The inspection consisted of an introductory meeting during which we discussed DEP's production processes and waste streams. We also discussed pollution prevention opportunities. We then inspected the plant including Building 25, tank T-66, tank T 10000-01, the permitted greater than 90 day storage area, the former Albemarle building, and the storage area for universal waste located on the second floor of the main office building. After the physical inspection, we returned to your office to review manifests, training records, the Contingency plan and other paperwork. We concluded with a brief summary of our findings. You provided me with a photocopy of the Tank T-10000-1 Mechanical Integrity Certification Report for my review. However, compliance with the Ohio Hazardous Waste rules and the conditions of DuPont's permit addressing groundwater and financial requirements were not assessed during this inspection.

Based on this inspection, Ohio EPA has determined that DuPont has violated the following state hazardous waste regulations and conditions of its Ohio Hazardous Waste Installation and Operation permit. All violations of DuPont's permit are also violations of ORC 3734.11(B) which states that "no person who holds a permit or license issued under this chapter shall violate any terms and conditions of the permit". Also be aware that a violation of any permit condition is also a violation of permit conditions A.1 (Effect of Permit) and condition A.5 (Duty to Comply).

**1 Management of containers: OAC 3745-55-73 and permit condition C.6(a)** requires that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.

Several 55-gallon blue drums in the permitted storage area had loose bungs. The threads from the bung were partially engaged but the bungs could be readily turned using only light finger pressure. The bung from one drum was completely out of the bung-hole. The drums were labeled acetone-water or methanol-water. We only checked a few drums. We note that the most recent daily inspection checklist showed that the drums had been checked to determine if they had been properly closed.

☞ To return to compliance, be sure that all containers in storage are properly closed and that the bung threads are engaged. I will conduct an un-announced inspection sometime within the next 60 days. At that time I will check all the drums in the permitted storage area to determine if they are properly closed, I will also review the inspection records for the storage area.

**2 Submittal of biennial waste minimization reports: permit condition A.29(b)** requires that DuPont submit biennial updates to the Waste Minimization Report to Ohio EPA's Office of Pollution Prevention.

A search of Ohio EPA records reveals that the last Report was dated February 25, 2005 and received on March 1, 2005.

☞ To return to compliance, prepare and submit to me within 60 days an update to the Waste Minimization Report. See permit condition A.29(a) for a description of the required elements of the Report.

**3 Management of Universal Waste Thermostats: OAC 3745-273-13(C)(2)(g)** requires that handlers of universal waste thermostats manage mercury-containing ampules in a closed, non-leaking container in good condition. Note that the rule does not require intact thermostats to be containerized, but ampules removed from the thermostats are required to be stored in a container.

When we inspected the universal waste storage area on the second floor of the office building, we saw two thermostats stored on the window sill. The larger of the two was a multi-stage thermostat with five mercury ampules. The electrical wiring connecting the ampules had been cut and the ampules themselves were unsnapped from their fixtures and were lying on top of the thermostat housing. I have determined that this meets the definition of 'removed' and that the ampules themselves were required to be stored in a container.

Mr. Aaron Smith  
February 22, 2010  
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☞ Before we left your facility, you had properly containerized the thermostats and ampules. The container was labeled. No further actions are required on your part to be returned to compliance for this violation.

**4 Labeling of Universal waste thermostats or container of mercury ampules:** **OAC 3745-273-14(D)** requires that handlers of universal waste thermostats label or clearly mark each thermostat or the container with any one of the following phrases: "Universal waste-mercury thermostat(s)" or "Waste mercury thermostat(s)" or "Used mercury thermostat(s)".

Neither of the two thermostats referred to here and in item #3 above was labeled.

☞ Before we left your facility, you had properly containerized the thermostats and ampules. The container was labeled. No further actions are required on your part to be returned to compliance for this violation.

To re-iterate, item #1 cited above is considered to be a violation of both the OAC and your permit; item #2 is a violation only of your permit; and items #3 and #4 are violations of the OAC only. As stated above, violations of your permit are also violations of ORC 3734.11(B).

Enclosed you will find a copy of the inspection checklists and a process description summary form.

Please feel free to call me at (937) 285-6090 if you have any questions or if I can assist you in any way.

Sincerely,



Tom Ontko  
Hazardous Waste Inspector  
Southwest District Office

Enclosures DuPont TSD checklist  
Process description summary  
Universal waste checklist  
LQG checklist  
Tank checklist

cc: DHWM Data Entry/Facility File

**NOTICE:**

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

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

Facility: DuPont Electronic Polymers L.P. Ohio Permit: 05-57-0433  
 Address: 1515 Nicholas Road U.S. EPA ID: OHD 004855292  
Dayton, Ohio 45418 Phone: 937-262-6242  
 County: Montgomery

Inspection Date: 1 / 22 / 2010 Time: 10:35 am

Was advance notice of the inspection given? No  
 If so, how far in advance? \_\_\_\_\_

	<u>Name</u>	<u>Agency/Title</u>	<u>Phone</u>
Inspectors:	<u>Tom Ontko</u>	<u>Ohio EPA/inspector</u>	<u>937-285-6090</u>
	<u>George Strobel</u>	<u>Ohio EPA/ inspector</u>	<u>937-285-6052</u>
	<u>Laura Marshall</u>	<u>Ohio EPA/inspector</u>	<u>937-285-6081</u>

Facility Reps: Aaron Smith DPEP/ SHEA Manager 937-262-6242

Is facility operating as a generator?  Yes  No

If so, complete the applicable sections of the Generator Requirements checklist for wastes being managed under generator status.

**PERMIT STATUS**

Original Permit Issued: May 8, 1992  
 Permit Issued: April 21, 2004 LDR Checklist Attached:  Yes  No  
 Permit Effective Date: April 21, 2004 Used Oil Checklist Attached:  Yes  No  
 Permit Expiration Date: April 21, 2014 Generator Checklist Attached:  Yes  No  
 Permit Renewal Dates: February 27, 1998 & April 21, 2004  
 Permit Modification Dates: 8/20/04, 9/23/04, 8/23/06, 9/14/06, 11/17/08

**AUTHORIZED ACTIVITIES**

<u>STORAGE</u>		<u>TREATMENT</u>		<u>DISPOSAL</u>	
<input checked="" type="checkbox"/>	Containers	<input type="checkbox"/>	Tanks	<input type="checkbox"/>	Injection Well
<input type="checkbox"/>	Tanks	<input type="checkbox"/>	Incinerator	<input type="checkbox"/>	Landfill
<input type="checkbox"/>	Waste Pile	<input type="checkbox"/>	Thermal Treatment	<input type="checkbox"/>	Land Application
<input type="checkbox"/>	Surface Impoundment	<input type="checkbox"/>	Post-Closure	<input type="checkbox"/>	Surface Impoundment

Post-Closure Care  Corrective Action

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**GENERAL PERMIT COMPLIANCE AND ACTIVITIES**

- |    |   |     |
|----|---|-----|
| 1. | Has the expiration date of the permit passed? If so:  | No  |
|    | Is the permittee continuing any activity regulated by the permit after the expiration date of the permit?   | N/A |
|    | Has the facility submitted an application for a permit renewal to the director no later than 180 days prior to the expiration date of the permit? [Condition A.6]   | No  |
| 2. | Has the permittee submitted the annual permit fee, (payable to Treasurer, State of Ohio) to Ohio EPA on or before the anniversary of the date of issuance during the term of the permit? [Condition A.26] | Yes |
| 3. | Is the permittee conducting any hazardous waste management activities (not otherwise exempt by law) which are not authorized by the permit? [Conditions A.1(b) and A.5]                                   | No  |
| 4. | Have any provisions of the permit been identified as invalid? [Condition A.4]   | No  |
| 5. | Has the facility identified any instances of noncompliance with the permit, ORC Chapter 3734. or the rules adopted thereunder, which may endanger human health or the environment? If so:                 | No  |
|    | Did the facility immediately report the following to Ohio EPA's Emergency Response Unit? [Condition A.20]   |     |
|    | Information concerning a release of any hazardous waste that may cause an endangerment to public drinking water supplies; and   | N/A |
|    | Information concerning a release of hazardous waste, fire or explosion at the facility which could threaten human health or the environment outside the facility including a description of:              | N/A |
|    | Name, address and telephone number of the owner/operator?   | N/A |

Name, address and telephone number of the facility?	N/A
Name and quantity of material(s) involved?	N/A
The extent of injuries, if any?	N/A
An assessment of the actual or potential hazard to the environment and human health outside the facility?	N/A
Estimated quantity and disposition of recovered material that resulted from the incident?	N/A

6. Did the permittee provide a written report to Ohio EPA's Emergency Response Unit and DHWM within five days of becoming aware of the circumstances reported in Questions No. 5? If so, did the report contain: [Condition A.21]	N/A
---	-----

A description of the noncompliance and its cause (including exact dates and times)?	N/A
---	-----

Whether the noncompliance has been corrected and if not, the anticipated time noncompliance is expected to continue? and	N/A
--	-----

Steps taken or planned to minimize the impact on the environment and to reduce, eliminate and prevent recurrence of the noncompliance?	N/A
--	-----

***NOTE:**The permittee need not comply with the five day written report requirement if the director, upon good cause shown by the permittee, waives that requirement and the permittee submits a written report within 15 days of the time the permittee became aware of the circumstances. [Condition A.21].*

7. Has the permittee identified other instances of noncompliance not provided for in Condition A.22, if so:	N/A
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Did the permittee report these instances to Ohio EPA, DHWM? [Condition A.22]?	N/A
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Do the reports provided contain the information set forth in Condition A.20? [Condition A.20]	N/A
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Has the permittee taken all steps necessary to minimize releases to the environment or prevent any adverse	N/A
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impact on human health or the environment? [Condition A.8]

8. Has the permittee planned any changes in the permitted facility or activity which may result in noncompliance with the conditions of the permit? No
- If so, has the facility provided Ohio EPA with advance notice of such changes? [Condition A.17] N/A

**NOTE:** Such notification does not waive the permittee's duty to comply with the permit. [Condition A.17]

9. Has the permittee become aware that it failed to submit any relevant facts in the permit or issuance proceedings or that it submitted incorrect or incomplete information in permit issuance proceedings or other submissions to Ohio EPA or the Hazardous Waste Facility Board (HWFB)? If so: No
- Has the permittee properly submitted such facts or corrected information to the appropriate entity? [Condition A.24] N/A

#### PERMIT MODIFICATION, REVISION, REVOCATION

10. Has the permittee filed a request for a permit modification, revision or revocation since permit issuance? [Condition A.2] Yes
11. Has the permit, been transferred to a new owner/operator? If so: No
- Has the transfer been conducted in accordance with ORC Chapter 3734. and the rules adopted thereunder which includes the permittee notifying the new owner in writing of the requirements of ORC Chapter 3734. and the rules adopted thereunder and the applicable Ohio hazardous waste rules before transferring ownership? [Condition A.18] N/A
12. Has the permittee submitted reports in any compliance schedule of the permit to Ohio EPA no later than 14 days following each scheduled date, unless otherwise specified? [Condition A.19] N/A
13. Has the permittee furnished relevant information which Ohio EPA has requested to determine whether cause exists for modifying, revising, revoking or suspending the permit, to determine compliance with the permit? Yes

[Condition A.10]

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

**SITE ENTRY - AVAILABILITY OF RECORDS**

- |     |   |  |
|-----|---|--|
| 18. | As specified in Condition A.11, has the permittee allowed the director or an authorized representative, upon proper identification to:<br><br>Enter at reasonable times upon the premises where a regulated activity is located or where records are kept under the conditions of the permit?<br><br>Have access to and copy, at reasonable times, any records required to be kept under the conditions of the permit?<br><br>Inspect, at any time, facilities, equipment (including control and monitoring equipment), practices or other operations regulated under the conditions of the permit?<br><br>Sample, document, photograph or monitor, at reasonable times, any substances or parameter at the location of the facility to assure compliance with the permit or as otherwise authorized by ORC Chapter 3734. and the rules adopted thereunder? | <br><br>Yes<br><br>Yes<br><br>Yes<br><br>Yes |
|-----|---|--|

**RECORDKEEPING/OPERATING REQUIREMENTS**  
**OPERATING RECORD**

**DOCUMENTS TO BE MAINTAINED AT FACILITY**

1. In accordance with OAC rules 3745-54-73 and 3745-54-74 and Condition B.22 of the permit, does the permittee maintain an Operating Record which contains the following information:
  - a. A description of the quantity of each hazardous waste and the method(s) and date(s) of its treatment or storage? Yes
  - b. The location of each hazardous waste and quantity at each location including cross-reference to specific manifest numbers? Yes
  - c. Records and results of required waste analysis? Yes
  - d. Summary reports and details of all incidents that required implementation of the contingency plan? Yes
  - e. Records and results of required inspections? Yes
  - f. Documents required to be maintained by LDR requirements of OAC Chapter 3745-270? Yes
  - g. Monitoring, testing, or analytical data, and corrective action where required, from groundwater monitoring and required monitoring of surface impoundments, landfills, waste piles and land treatment units? [3745-54-73(B)(6)] Yes
  
2. In accordance with Condition A.28 of the permit, is the permittee maintaining the following documents at the facility:
  - a. Waste analysis plan in accordance with OAC rule 3745-54-13? Yes
  - b. Contingency plan in accordance with OAC rule 3745-54-53? Yes
  - c. Closure plan in accordance with OAC rule 3745-55-12? Yes
  - d. Cost estimate for facility closure in accordance with OAC rule 3745-55-42? (Estimate only - adequacy will be evaluated by CO financial assurance personnel) Yes

[Condition B.36]

e. Personnel training plan and records required by OAC rule 3745-54-16? [Condition B.6] Yes

f. Inspection schedules developed in accordance with OAC rules 3745-54-15, 3745-55-74 and 3745-55-95? [Condition B.5] Yes\_

g. Operating record in accordance with OAC rule 3745-54-73? [Condition B.22] Yes\_

h. Post-closure plan, as required by OAC rule 3745-55-18(A)? [Condition A.28(a)(viii)] Yes

i. Annually-adjusted cost estimate for facility closure and post-closure, as required by OAC rules 3745-55-42 and 3745-55-44? [Condition A.28(a)(ix)] Yes

3. Is the permittee maintaining copies of all inspection logs at the facility for at least three years from the date of inspection? [ Condition A.15 ] Yes See Remark Below
4. Have any of the documents in Question No. 2 been revised? [Condition A.15] If so: No
- Has the permittee submitted the revisions to Ohio EPA in accordance with OAC rule 3745-50-51? N/A
- Have all requirements of OAC rule 3745-50-51 been met, including, where required, Ohio EPA approval? N/A

### ANNUAL REPORT REQUIREMENT

5. Is the permittee complying with annual report requirements set forth in OAC rule 3745-54-75 and the additional report requirements set forth in OAC rule 3745-54-77? [Condition B.25] Yes

#### **SAMPLING/MONITORING RECORDKEEPING REQUIREMENTS**

6. In compliance with Condition A.12 of the permit, do the permittee's records of monitoring information specify the:
- |  |     |
|--|-----|
| Date(s), exact place(s), time(s) and method(s) of sampling or measurement? | Yes |
| Individual(s) who performed the sampling or measurement?                   | Yes |
| Date(s) analyses were performed?   | Yes |
| Individual(s) who performed the analyses?                                  | Yes |
| Analytical technique(s) or method(s) used?                                 | Yes |
| Results of such analyses?  | Yes |

#### **REMARKS**

Remark-Inspection records were maintained as required. We reviewed records back as far as the previous inspection conducted in March, 2009.

- |    |  |               |
|----|--|---------------|
| 7. | Have the methods used to obtain a representative sample of the waste to be analyzed included the appropriate SW-846 method or an equivalent method specified in the approved waste analysis plan? [Condition A.12]                                     | Yes           |
| 8. | In accordance with Condition A.14 of the permit, is the permittee retaining records of monitoring information as required by the permit for at least three years from the date of sampling, including:<br><br>All calibration and maintenance records. | Yes           |
| 9. | Has Ohio EPA requested submittal of any reports or other information from the permittee? If so:<br><br>Have the submittals been signed and certified according to OAC rule 3745-50-42? [Condition A.13]  | No<br><br>N/A |

**WASTE MINIMIZATION REQUIREMENTS**

- |    |  |           |
|----|--|-----------|
| 1. | Does the permittee certify at least once every year that a program is in place to reduce the volume and toxicity of hazardous waste generated in accordance with Condition A.29(a) and OAC rule 3745-54-73?  | Yes       |
| 2. | <b>Did the permittee submit the waste minimization report to Ohio EPA, Office of Pollution Prevention and Southwest District Office within 180 days of journalization of this permit? and updates biennially thereafter? [Condition A.29(b)]</b>   | <b>No</b> |
| 3. | Has the permittee reduced the amount of waste (hazardous waste, solid waste, air emission, waste water discharges, etc.) this year generated at their facility by implementing pollution prevention/waste minimization? If so, what amount of waste has the permittee reduced this year? | N/A       |
| 4. | Has the permittee's company saved much money this year by implementing pollution prevention (reducing raw material usage, disposal fees, energy savings, etc.)?<br><br>If so, how much money has the permittee's company saved this year?  | N/A       |

Remark- Waste volumes are reduced because of the slower economy.

**WASTE ACCEPTANCE AND GENERATION**

- |    |   |    |
|----|---|----|
| 1. | Is the permittee storing any containers of hazardous waste received from any off-site source that permittee is not permitted to store? [Condition A.1.] | No |
|----|---|----|

2. Has the permittee arranged to receive hazardous waste from a foreign or off-site source that the permittee is not permitted to store? [Condition A.1.] No

**OFF-SITE SHIPMENTS/MANIFEST REQUIREMENTS**

1. Is the permittee complying with the following manifest requirements set forth in OAC Chapter 3745-52 and OAC rules 3745-54-70, 3745-54-71, 3745-54-72 and 3745-54-76: [Condition B.24]
- a. All hazardous wastes shipped off-site have been accompanied by a completed manifest, U.S. EPA Form 8700-22 and, if necessary, U.S. EPA Form 8700-22A in compliance with OAC rule 3745-52-20(A)? Yes
- b. The manifest form used contains all information required by OAC rule 3745-52-20 and the minimum number of copies required by OAC rule 3745-52-22? Yes
- c. The permittee has designated at least one permitted disposal facility and has/will designate an alternate facility or instructions to return waste in compliance with OAC rule 3745-52-20(B)(c)(D)? Yes
- d. Prepared manifests have been signed by the permittee and initial transporter in compliance with OAC rule 3745-52-23? Yes
2. As a permittee that generates hazardous waste, are signed copies of all hazardous waste manifests and any documentation required for exception reports retained for at least three years at the facility as required by OAC rules 3745-52-40 and 3745-54-71(A)(5)? Yes
3. Does the permittee use only properly registered transporters when removing hazardous wastes? [Condition A.16] Yes

- |    |   |     |
|----|---|-----|
| 4. | Does the permittee give one copy of the manifest to the transporter, send one copy to the generator within 30 days, and keep one copy for at least three years? [3745-54-71(A)] | Yes |
|    | If shipping papers are used in lieu of manifests (bulk shipments, etc.), are the same requirements met? [3745-54-71(B)]   | Yes |
|    | Are any significant discrepancies in the manifest, as defined in 3745-54-72(A) noted in writing on the manifest document?   | Yes |
|    | Have manifest discrepancies been reconciled within 15 days as required by 3745-54-72(B)? If not:  |     |
|    | Has the owner/operator submitted the required information to the director?  | N/A |

**WASTE ANALYSIS/WASTE ANALYSIS PLAN**

- |    |   |     |
|----|---|-----|
| 1. | Does the permittee have a detailed chemical and physical analysis of waste streams which contains all information of the waste in accordance with OAC Chapters 3745-54 to 3745-57, 3745-218 and 3745-270 and the terms and conditions of the permit? [Condition B.3(a)] | Yes |
| 2. | Does the permittee follow the procedures described in the WAP (Application Section 2)? [Condition B.3(b)]   | Yes |
| 3. | In accordance with OAC rule 3745-54-13(A)(3), does the permittee repeat the waste analysis when the process or operation generating the hazardous waste has changed, or at least annually? [Condition B.3]  | Yes |
| 4. | <b>Where applicable:</b> The methods which will be used to meet additional waste analysis requirements for specific waste management methods specified in rules 3745-54-17, 3745-57-14, 3745-57-41 and 3745-270-07 of the OAC? [3745-54-13(B)(6)]                       | N/A |
| 5. | Does the permittee place the results of all waste analyses in the facility operating record in accordance with OAC rule 3745-54-73?   | Yes |

## GENERAL INSPECTION REQUIREMENTS

- |    |  |     |
|----|--|-----|
| 1. | Is the permittee following the inspection procedures and schedules as set forth in the permit (Section 4 of the approved Part B permit application) and the requirements of OAC rules 3745-54-15(A), (c) and (D)?<br>[Condition B.5]     | Yes |
| 2. | Is the permittee following the approved inspection schedule for inspecting: monitoring equipment, safety equipment, emergency equipment, security devices and operating and structural equipment as specified in OAC rule 3745-54-15(B)? | Yes |
|    | Is the schedule kept at the facility? [OAC rule 3745-54-15(B)(2)]  | Yes |
| 3. | Does the permittee remedy deterioration or any malfunctions discovered by an inspection as required by OAC rule 3745-54-15(c)? [Condition B.5]   | Yes |
| 4. | In accordance with OAC rule 3745-54-15(D) and Condition B.5 of the permit, do inspection records contain the following information:  |     |
|    | Date and time of inspection?   | Yes |
|    | Name of inspector?   | Yes |
|    | Notation of observations made?   | Yes |
| —  | Date and nature of any repairs or other remedial actions?  | Yes |

## SECURITY REQUIREMENTS



1. Is the permittee complying with the following security provisions of OAC rule 3745-54-14 and Condition B.4 of the permit: [Section 4 of the Part B permit application]
  - a. Does the permittee have a 24-hour surveillance system which continuously monitors and controls entry onto the active portion of the facility, or; Yes
  - b. An artificial or natural barrier (in good repair) which completely surrounds the active portion of the facility, and; Yes

A means to control entry, at all times, through gates or other entrances, to the active portion of the facility? Yes
2. In accordance with OAC rule 3745-54-14(c), does the permittee have signs reading ADanger - Unauthorized Personnel Keep Out@ posted at entrances of the hazardous waste container storage building number 25. Yes

**FACILITY OPERATIONS**

3. Is construction, maintenance and operation of the facility being conducted to minimize the possibility of a fire, explosion, or unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, ground or surface water? [OAC rule 3745-54-31; Condition B.1] Yes
4. Does the permittee properly maintain and operate the facility to achieve compliance with the terms and conditions of the permit including: [Condition A.9]
  - Effective management practices? Yes
  - Adequate funding? Yes
  - Adequate operator staffing and training? Yes
  - Adequate laboratory and process controls? Yes

## PERSONNEL TRAINING

1. Is the permittee conducting personnel training in accordance with the conditions of the permit and with the following requirements of OAC rule 3745-54-16? [Condition B.6] Yes
- The facility provides personnel training which includes instruction in safe equipment operation and emergency procedures and implementation of the contingency plan? [OAC rule 3745-54-16(A)(B)(c)] Yes
- The facility provides personnel training to new employees within six months after their date of employment as required by OAC rule 3745-54-16(B)? Yes
- The facility provides an annual refresher training course as required by OAC rule 3745-54-16(c)? Yes
2. Is the permittee maintaining personnel training records as required by OAC rule 3745-54-16(D) and of the approved application, including: written job titles, job descriptions and documented employee training records? [Condition B.6] Yes

## REQUIRED EQUIPMENT

1. Has the permittee equipped the facility with the following emergency equipment as required by OAC rule 3745-54-32 and Condition B.9 of the permit:
- An internal communications or alarm system? Yes
- A device such as a telephone which is capable of summoning emergency assistance from local emergency authorities? Yes

- |    |   |     |
|----|---|-----|
|    | Portable fire extinguishes and/or fire control equipment, spill control and decontamination equipment?  | Yes |
|    | Water in adequate volume and pressure to supply water hose streams, foam producing equipment, automatic sprinklers or water spray systems?  | Yes |
| 2. | Is the permittee inspecting, testing and maintaining the equipment specified in Question No. 1 to ensure its proper operating in accordance with OAC rule 3745-54-33 and Condition B.10 of the permit?  | Yes |
| 3. | Whenever hazardous waste is being managed at the facility, has the permittee provided all personnel involved in the operation with immediate access to an internal alarm or emergency communication device as required by OAC rule 3745-54-34 and Condition B.11 of the permit? | Yes |

**CONTINGENCY PLAN - EMERGENCY PROCEDURES**

- |    |   |     |
|----|---|-----|
| 1. | In compliance with Condition B.13 of the permit and OAC rule 3745-54-37(A) and (B), does the permittee:   |     |
|    | Familiarize emergency response agencies with the layout of the facility, associated hazards, places where personnel will normally be working, entrances and possible evacuation routes?   | Yes |
|    | Inform such agencies of safety equipment, supplies, proper emergency safety procedures that are applicable to the facility?   | Yes |
|    | Familiarize the local hospital listed in the approved application with the properties of hazardous waste handled at the facility and the types of injuries or illness that could result from fires, explosions or releases at the facility? | Yes |
| 2. | Has a state or local agency declined to enter into the arrangements set forth in OAC rule 3745-54-37(A)? If so:   | Yes |
|    | Has the permittee documented the refusal in the operating record as required by OAC rule 3745-54-37(B)? [Condition B.13(b)]   | Yes |

- |    |   |     |
|----|---|-----|
| 3. | Has the permittee, in accordance with OAC rule 3745-54-53 submitted a copy of the approved contingency plan (including amendments, revisions or changes) to all local authorities, agencies and response contractors designated in the approved contingency plan? [Condition B.18(b)] | Yes |
| 4. | Has the permittee notified all parties identified in the contingency plan in writing of significant amendments, modifications, or revisions to the plan within fifteen days of the effective date of the change in the plan? [Condition B.18(b)]                                      | Yes |
| 5. | Has the permittee submitted a copy of the approved contingency plan and all revisions, amendments and modifications to the Ohio EPA, Division of Emergency and Remedial Response (DERR) in accordance with OAC rule 3745-54-53? [Condition B.18(c)]                                   | Yes |
| 6. | Is the permittee reviewing the approved contingency plan at least annually and amending the plan immediately if needed in compliance with OAC rule 3745-54-54? [Condition B.17]   | Yes |

**NOTE:** Also see Question No. 4 of Recordkeeping Requirements to verify that any changes to the contingency plan were submitted in accordance with OAC rule 3745-50-51.

**EMERGENCY COORDINATOR**

- |    |   |     |
|----|---|-----|
| 7. | In accordance with OAC rule 3745-54-55 and Condition B.19 of the permit, is an emergency coordinator on premises or on call at all times?                 | Yes |
| 8. | In accordance with OAC rule 3745-54-55 and Condition B.19 of the permit, is/are the emergency coordinator(s) at the facility familiar with the following: |     |

Contingency plan?	Yes
-------------------	-----

	Facility operations/activities?	Yes
	Waste characterization and location?	Yes
	Location of all records in the facility?	Yes
	Facility layout?	Yes
9.	In accordance with OAC rule 3745-54-55, does/do the emergency coordinator(s) have the authority to commit the resources needed to carry out the contingency plan? [Condition B.19]	Yes
10.	Does the permittee have a contingency plan for the facility that: [Condition B.15]	
	Describes the actions facility shall take to comply with OAC rules 3745-54-51 through 3745-54-56 in response to fires, explosions, or any unplanned sudden or nonsudden release of hazardous waste or hazardous waste constituents to air, soil or surface water at the facility?	Yes
	Describes arrangements agreed to by local police, fire departments, hospitals, contractors and Ohio EPA and the local emergency response team to coordinate emergency services?	Yes
	Includes an up-to-date list of names, addresses and phone numbers (office and home) for all persons qualified to act as emergency coordinator in the order that they will assume responsibility for coordination of emergency response?	Yes
	Includes a list of all emergency equipment, including fire extinguishing systems, spill control equipment, communications and alarm systems and decontamination equipment?	Yes
	Includes the location and a physical description of each item on the list referenced in Question No. 10(d), and a brief outline of its capabilities?	Yes
	Includes an evaluation plan for facility personnel describing signals to be used to begin evacuation,	Yes

evacuation routes, and alternate evacuation routes, in situations where the primary routes could be blocked by releases of hazardous waste?

### IMPLEMENTATION OF CONTINGENCY PLAN

11.	Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents at the facility including spill or release of hazardous waste or hazardous waste constituents greater than or equal to 55 gallons; any spill or release of hazardous waste or hazardous waste constituents less than 55 gallons may result in a fire or explosion hazard as determined by the Emergency Coordinator; or any spill on-site that may potentially cause on or off-site soil and/or ground or surface water contamination; any spill or release of hazardous waste or hazardous waste constituents that is reported to the National Response Center or local (city or county) emergency response center because the spill exceeded the ARQ@ limits; any fire involving hazardous waste; any explosion involving hazardous waste; since the date of the last inspection? If so:	No
	Did the permittee immediately implement the approved contingency plan and follow the emergency procedures described in OAC rule 3745-54-56? [Conditions B.14 and B.20]	N/A
	Did the permittee immediately notify Ohio EPA's emergency response team using the 24-hour toll free number (800)282-9378 providing the following information: [OAC rule 3745-54-56(D)(2)]	
	Name and telephone number of the reporter?	N/A
	Name and address of the facility?	N/A
	Time and type of incident?	No
	Name and quantity of materials involved?	No
	The extent of injuries?	N/A
	The possible hazards to human health or the environment	N/A

outside the facility?

Did the permittee collect and manage as hazardous waste all liquid or solid material resulting from fire, explosion, released material or emergency response materials until such time as the permittee can demonstrate to Ohio EPA that such waste are not hazardous wastes? [Condition B.16]

N/A

Within 15 days of the incident did the permittee submit to the director a written report of the incident? If so:

N/A

Did the report contain the elements set forth in OAC rule 3745-54-56(J)? [Condition B.23]

N/A

Did the permittee note in the operating record the time, date and details of any incident that required the implementation of the approved contingency plan as required by OAC rule 3745-54-56(J)? [Condition B.23]

N/A

#### **CLOSURE REQUIREMENTS**

Does the permittee maintain the approved closure plan at the facility? [Condition B.29]

Yes

2. Is the permittee keeping at the facility and submitting annually to Ohio EPA, the latest closure cost estimate as required by OAC rule 3745-55-42(D) [Condition B.36]

Yes

3. Has the permittee amended the closure plan? If so:

No

Has the plan been amended in accordance with OAC rule 3745-55-18(D)? [Condition B.28]

N/A

**NOTE:** Also see Recordkeeping Requirements (Question #4) in order to verify that any changes to the closure plan were submitted in accordance with OAC rule 3745-50-51.

4. Has the permittee closed the facility? If so:

No

Did the permittee complete closure of the facility 180 days after receiving the final volume of hazardous waste, as required by Condition B.31 of the permit?

N/A

Was closure conducted in accordance with the closure performance standard of OAC rule 3745-55-11? [Condition B.26]	N/A
Did the permittee carry out the approved closure plan as set found in Section 7 of the approved permit application? [Condition B.27]	N/A
After receiving the final volume of hazardous waste, did the permittee remove all hazardous waste and complete closure activities in accordance with the schedule specified in the approved closure plan and as required by OAC rule 3745-55-13? [Condition B.31]	N/A
Has the permittee decontaminated and/or disposed of all facility equipment, structures and soils as required by OAC rule 3745-55-14 and the approved closure plan? [Condition B.32]	N/A
Has the permittee certified that the facility has been closed in accordance with the specifications in the approved closure plan as required by OAC rule 3745-55-15? [Condition B.33]	N/A
Has the permittee submitted a survey plat to the director and local zoning authority no later than the submission of certification of closure of each hazardous waste disposal unit? [Condition B.34]	N/A

**STORAGE OF HAZARDOUS WASTES IN CONTAINERS**

**NOTE:** *The requirements of Condition C do not apply to the permittees activities as a generator accumulating hazardous waste for <90 days per OAC rule 3745-52-34(A). Please complete the applicable sections of the Generator Requirements checklist to document compliance with activities associated with <90 day accumulation of wastes.*

**CONDITION OF CONTAINERS**

- |    |   |     |
|----|---|-----|
| 1. | Is the permittee storing in containers, only those wastes identified in Condition C.3? [Condition C.3]  | Yes |
| 2. | Does the permittee limit the total quantity of containerized waste to no more than 11,000 gallons of hazardous waste at any given time in the permitted containers area located in Building #25? [Condition C.1(a)] | Yes |

- |    |   |     |
|----|---|-----|
| 3. | Are containers holding hazardous wastes in good condition as required by OAC 3745-55-71? [Condition C.4] If not:  | Yes |
|    | Did the permittee transfer the hazardous waste from such a container to one that is in good condition or otherwise manage the waste in a manner that complies with the conditions of the permit?<br>[Condition C.4] | N/A |
| 4. | Does the permittee ensure that all containers used at the facility are compatible with the hazardous waste to be stored in them as required by OAC rule 3745-55-72? [Condition C.5]                                 | Yes |
| 5. | <b>Does s the permittee keep all containers closed during storage except when it is necessary to add or remove waste as required by OAC rule 3745-55-73? [Condition C.6(a)]</b>                                     | No  |
| 6. | Does the permittee store all containerized hazardous waste on the container storage containment system as described in Condition C.7 of the permit? [Condition C.7]   | Yes |

## INSPECTIONS

Is the permittee inspecting the container area weekly in accordance with OAC rule 3745-55-74 and the approved inspection schedule in Section 4 of the Part B permit application to detect leaking containers and deterioration of containers and the containment system? [Condition C.9]

Does the permittee note the results of these inspections in the inspection log along with any remedial action taken as required by OAC rule 3745-54-15(D)?	Yes
--	-----

## CONTAINMENT SYSTEM

8. Does the permittee maintain the containment system as described in the approved permit application, Section 3, including: [Condition C.7] Yes
- Sufficient capacity to hold 10% of the total volume of containers or the volume of the largest container, whichever is greater. Yes
- A system which is free of gaps and sufficiently impervious to contain leaks and spills? Yes
9. Has the permittee had a spill or leak of wastes? If so: No
- Was spilled or leaked waste removed in a timely manner? [Condition C.7(e)] N/A

## AISLE SPACE

10. Is the permittee maintaining adequate aisle space to allow unobstructed movement of personnel and equipment in the event of an emergency as required by OAC rule 3745-54-35 and Condition B.12 of the permit? Yes
11. Is the permittee in compliance with the requirements of OAC rules 3745-54-17 and 3745-55-76, the approved application and conditions of the permit? [Condition C.11(a)] Yes
12. Does the permittee store containers of ignitable or reactive wastes greater than 15 meters (50 feet) from the facility's property line? [Condition C.11(b)] Yes
13. Does the permittee take precautions to prevent accidental ignition or reaction of ignitable or reactive waste and follow the storage procedures specified in Section 4 of the permit application? [Condition C.11(c)] Yes
14. Does the permittee provide electrical grounding for all containers and tanks, and transport vehicles during all operations involving the handling of ignitable or reactive wastes? [Condition B.7(b)] Yes
15. Does the permittee provide and require the use of spark proof tools during all operations involving the handling of ignitable or reactive wastes? [Condition B.7(c)] Yes
16. Does the permittee prohibit smoking and open flames in each area where ignitable, reactive or incompatible hazardous wastes are managed and post appropriate sign? [Condition B.7(d)] Yes

17. Does the permittee prevent hazardous waste from being placed in an unwashed container that previously held an incompatible waste or material? [Condition C.12(c)] Yes

**LAND DISPOSAL RESTRICTION REQUIREMENTS**

**NOTE:** *In order to determine compliance with all applicable LDR requirements the inspector may need to complete the separate LDR checklist:*

1. Does the permittee comply with all applicable regulations regarding land disposal prohibitions and restrictions as required by OAC Chapter 3745-270? Yes
2. Does the permittee comply with the notification and certification requirements of OAC rule 3745-270-07(A)? Yes
3. Does the permittee comply with the requirements of OAC rule 3745-270-03 and does not in any way dilute a restricted waste or treatment residue as a substitute for adequate treatment? Yes
4. Does the permittee retain supporting data used to determine if wastes managed at the facility are restricted from land disposal in the facility files as required by OAC rule 3745-270-07(A)(5)? Yes
- Are copies of all notices, certifications, demonstrations, waste analysis and other documentation produced pursuant to OAC Chapter 3745-270 retained for a period of three years as required by OAC rule 3745-270-07(A)? Yes
5. Is the permittee in compliance with the requirements of OAC rule 3745-270-50 regarding the storage of wastes restricted or prohibited from land disposal under OAC rule 3745-270-50? Yes

**CORRECTIVE ACTION**

- |    |   |     |
|----|---|-----|
| 1. | Has the permittee submitted the monthly progress report for all corrective action activities? (This report is due by the 15 <sup>th</sup> of the month following the reporting period.)<br>[Condition ____] | N/A |
| 2. | Has the permittee identified any new WMUs or releases at the facility? [Condition E.10]? If so:   | No  |
|    | Did the permittee follow the steps indicated in Conditions E.10(a) and (b) and E.11?  | N/A |

**SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS**

**Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg or more**

**Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less**

**PROHIBITIONS**

1.	Did the SQUWH dispose of universal waste? [3745-273-11(A)]	No
2.	Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in OAC rule 3745-273-17 or managing specific wastes as provided in OAC rule 3745-273-13? [3745-273-11(B)]	No

**WASTE MANAGEMENT AND LABELING/MARKING**

**UNIVERSAL WASTE BATTERIES**

3.	Are batteries that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)]	N/A
4.	If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)]	N/A
5.	Are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)]	N/A
6.	If the electrolyte is removed or other wastes generated, has it been determined whether the electrolyte or other wastes exhibit a characteristic of hazardous waste? [3745-273-13(A)(3)]	N/A
a.	If the electrolyte or other waste is characteristic, is it managed in compliance with OAC Chapters 3745-50 through 3745-69? [3745-273-13(A)(3)(a)]	N/A
b.	If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)]	N/A
7.	Are the batteries or containers of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)"? [3745-273-14(A)]	N/A

**UNIVERSAL WASTE PESTICIDES**

8.	Does the SQUWH prevent releases to the environment by managing pesticides in containers that are closed, structurally sound, compatible with the pesticides, and lack evidence of leakage, spillage, or damage? [3745-273-13(B)(1)]	N/A
9.	If the original pesticide container is in poor condition, was it over-packed into an acceptable container? [3745-273-13(B)(2)]	N/A
10.	If the pesticide is stored in a tank, are the requirements of rules 3745-66-90 through 3745-66-101, except for paragraph (C) of 3745-66-97, of the OAC met? (Use tank checklist) [3745-273-13(B)(3)]	N/A
11.	If pesticides are stored in a transport vehicle, is it closed, structurally sound, compatible with the pesticide(s), and does it lack evidence of leakage, spillage, or damage that could cause leakage? [3745-273-13(B)(4)]	N/A
12.	Are recalled universal waste pesticides that are in containers, tanks, or transport vehicles labeled with the label that was on or accompanied the product as sold or distributed and labeled with the words "Universal Waste Pesticides" or "Waste Pesticides"? [3745-273-14(B)(1)&(2)]	N/A
13.	Are unused pesticide products that are in containers, tanks, or transport vehicles labeled with either the label that was on the product when purchased (if still legible), the appropriate DOT label, or the designated label prescribed by the pesticide collection program and labeled with the words "Universal Waste Pesticides" or "Waste Pesticides"? [3745-273-14(C)(1)&(2)]	N/A

**UNIVERSAL WASTE THERMOSTATS**

14.	Have thermostats that show evidence of leakage, spillage or damage that could cause leaks been contained in a container that is closed, structurally	N/A
-----	--	-----

	sound, compatible with contents of the thermostats and lacks evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(C)(1)]	
15.	If the mercury-containing ampules are removed, does the SQUWH: [3745-273-13(C)(2)]	
	a. Remove the ampules in a manner to prevent breakage and is the removal done over or in a containment device? [3745-273-13(C)(2)(a)&(b)]	
	b. Have a clean-up system readily available to transfer spilled mercury to another container that meets the requirements of OAC rule 3745-52-34 and is the spilled mercury transferred immediately? [3745-273-13(C)(2)(c)&(d)]	No
	c. Ensure that the area where ampules are removed is well ventilated and monitored in compliance with applicable OSHA exposure levels for mercury? [3745-273-13(C)(2)(e)]	
	d. Ensure that employees are thoroughly familiar with the proper waste handling and emergency procedures? [3745-273-13(C)(2)(f)]	
	e. Ensure that removed ampules are stored in closed, non-leaking containers that are in good condition? [3745-273-13(C)(2)(g)]	
	f. Pack removed ampules in containers with packing material to prevent breakage during storage, handling and transportation? [3745-273-13(C)(2)(h)]	
16.	When removing mercury containing ampules from thermostats if there are mercury or clean-up residues resulting from spills or leaks, and/or other waste generated (e.g., remaining thermostat units), has it been determined whether those exhibit a characteristic of hazardous waste identified in OAC rules 3745-51-20 to 3745-51-24? [3745-273-13(C)(3)(a)]	N/A <input type="checkbox"/>
	a. If the residues, and/or wastes are characteristic, are they managed in compliance with Chapters 3745-50 through 3745-69, 3745-205, 3745-256, 3745-266, and 3745-270 of the Administrative Code? (The handler is considered the generator of the mercury, residues, and/or other waste and is subject to OAC Chapter 3745-52) [3745-273-13(C)(3)(b)]	N/A <input type="checkbox"/>
17.	Are thermostats or containers of thermostats labeled either "Universal Waste-Mercury Thermostat(s)" or "Waste Mercury Thermostat(s)" or "Used Mercury Thermostat(s)?" [3745-273-14(D)]	No <input type="checkbox"/>
<b>UNIVERSAL WASTE LAMPS</b>		
18.	Does the SQUWH contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
19.	Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage, spillage or damage that could cause leakage or releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<b>NOTE: Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)]. A generator crushing lamps must manage lamps according to hazardous waste rules (OAC Chapter 3745-52). Lamp crushing is a form of generator treatment (OAC rule 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility using a hazardous waste manifest.</b>		
20.	Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)?" [3745-273-14(E)]	Yes <input type="checkbox"/>
<b>ACCUMULATION TIME</b>		
21.	Is the waste accumulated for less than one year? [3745-273-15(A)]	Yes <input type="checkbox"/>

	a.	If not, is the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)]	N/A	
<i>NOTE: Accumulation is defined as date generated or date received from another handler.</i>				
22.		Is the handler able to demonstrate the length of time the universal waste has been accumulated? [3745-273-15(C)] If yes, describe below:	Yes	
<b>EMPLOYEE TRAINING</b>				
23.		Are employees who handle or have the responsibility for managing universal waste informed of waste handling/emergency procedures, relative to their responsibilities? [3745-273-16]	Yes	
<b>RESPONSE TO RELEASES</b>				
24.		Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]	N/A	
25.		Is the material released characterized? [3745-273-17(B)]	N/A	
26.		If the material released is a hazardous waste, was it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered the generator of the waste and is subject to OAC Chapter 3745-52) [3745-273-17(B)]	N/A	
<b>OFF-SITE SHIPMENTS</b>				
<i>NOTE: If a SQUWH self-transportes waste, then the handler must comply with the Universal Waste transporter requirements.</i>				
27.		Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]	Yes	
28.		Is the handler aware of DOT requirements for packaging and shipping?  If no, make aware of 49 CFR 171-180.	Yes	
29.		Prior to shipping universal waste off-site, does the originating handler ensure that the receiver agrees to receive the shipment? [3745-273-18(D)]	Yes	
30.		Has the originating handler ever had an off-site shipment rejected by another handler or destination facility?	No	
	a.	If yes, did the originating handler receive the waste back or agree to where the shipment was sent? [3745-273-18(E)(2)]	N/A	
31.		If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss and do <u>one of the following</u> :	N/A	
	a.	Send the waste back to the originating handler or send the shipment to a destination facility (If both the originating and receiving handler agree)? [3745-273-18(F)(2)]	N/A	
32.		If the handler received a shipment of hazardous waste that was not a universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)]	N/A	
<b>EXPORTS</b>				
33.		Is waste being sent to a foreign destination? If so:	No	
	a.	Does the small quantity handler comply with primary exporter requirements in OAC rules 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)]	N/A	
	b.	Is waste exported only upon consent of the receiving country and in conformance with the U.S. EPA "Acknowledgment of Consent" as defined in OAC rules 3745-52-50 to 3745-52-57? [3745-273-20(B)]	N/A	
	c.	Is a copy of the U.S. EPA "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]	N/A	

DuPont was not managing universal waste batteries or pesticides at the time of the inspection.

**LQG TANK SYSTEM REQUIREMENTS (OAC rule 3745-52-34(A) and OAC rules 3745-66-90 through 3745-66-100)**

(Please refer to the rules before or while completing this checklist.)

1.	Is each tank clearly labeled/marked with the words "Hazardous Waste?" [3745-52-34(A)(3)]	Yes	<input type="checkbox"/>
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**TANK SYSTEM – GENERAL OPERATING REQUIREMENTS**

2.	Does the o/o follow the general operating requirements below:		
a.	Does the o/o prevent placement of hazardous waste or treatment reagents in tank or secondary containment if such placement can cause the system to leak, rupture, corrode, or otherwise fail? [3745-66-94(A)]	Yes	<input type="checkbox"/>
b.	Does the o/o use appropriate controls to prevent spills or overflows from the system (e.g., check valves, dry disconnect couplings, high level alarms, etc.)? [3745-66-94(B)]	Yes	<input type="checkbox"/>
c.	If a leak or spill has occurred in the tank system, has the o/o complied with OAC 3745-66-94(C)]	N/A	<input type="checkbox"/>

**TANK SYSTEM – INSPECTION REQUIREMENTS**

3.	Has the o/o documented the inspections required in 3745-66-95, in the operating record, including inspection of the following:		
a.	Spill control equipment each operating day? [3745-66-95(A)(1)]	Yes	<input type="checkbox"/>
b.	Above ground portion of tank each operating day? [3745-66-95(A)(2)]	Yes	<input type="checkbox"/>
c.	Data from leak detection equipment each operating day? [3745-66-95(A)(3)]	Yes	<input type="checkbox"/>
d.	Construction materials and area immediately surrounding the tanks for signs of erosion or release of hazardous waste each operating day? [3745-66-95(A)(4)]	Yes	<input type="checkbox"/>

*NOTE: "Each operating day" is each day that the tank system is being used to manage (store or treat) hazardous waste.*

4.	Where applicable, the cathodic protection system to confirm proper operation within six months of initial installation and annually thereafter? [3745-66-95(B)(1)]	N/A	<input type="checkbox"/>
5.	Where applicable, all sources of impressed current at least bi-monthly? [3745-66-95(B)(2)]	N/A	<input type="checkbox"/>

**TANK SYSTEM CLOSURE REQUIREMENTS**

6.	If the generator has closed a <90 day tank, was closure completed in accordance with OAC 3745-66-97 (except for paragraph C)? <b>See note for item #6.</b>	Yes	<input type="checkbox"/>
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**TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES**

7.	For tanks used to treat or store ignitable or reactive wastes, has the o/o complied with one of the following: [3745-66-98(A)]		Yes	<input type="checkbox"/>
a.	Is the waste treated immediately after placement in the tank so that the resultant mixture is no longer ignitable or reactive and the o/o has conducted such activities in compliance with 3745-66-17(B)? [3745-66-98(A)]; or	No	<input type="checkbox"/>	
b.	Is the waste stored or treated to protect it from materials or conditions which may cause ignition or reaction? [3745-66-98(A)]; or	Yes	<input type="checkbox"/>	
c.	The tank is used solely for emergencies? [3745-66-98(A)]	No	<input type="checkbox"/>	
8.	If ignitable or reactive waste is stored or treated, are protective distances maintained between waste management areas and any public streets, alleys or adjoining property lines as required by the NFPA Flammable and Combustible Liquids Code (1996)? [3745-66-98(B)]		Yes	<input type="checkbox"/>

9.	Has the o/o placed incompatible wastes or materials into the same tank system, or into a tank system that has not been decontaminated and which previously held an incompatible waste or material? [3745-66-99(A) and/or (B)]	No	
a.	If so, have the requirements of 3745-65-17(B) been met? [3745-66-99(A) and/or (B)]	N/A	
<b>TANK SYSTEM – WASTE ANALYSIS REQUIREMENTS</b>			
10.	In addition to conducting the waste analysis required by 3745-65-13, when the tank system is used to store or treat a waste which is substantially different or uses a substantially different process than previously used, has the o/o done one of the following: [3745-66-100]	N/A	
a.	Conducted waste analysis and trial treatment or storage tests? [3745-66-100(A)]; <b>OR</b>	N/A	
b.	Obtained written documentation on similar waste under similar operating conditions to show that the proposed storage/treatment will meet the requirements of OAC 3745-66-94? [3745-66-100(B)]	N/A	
<b>TANK SYSTEMS REQUIREMENTS</b>			
11.	Is there a written assessment attesting that the design, installation and structural integrity of the system is adequate for the management of hazardous waste(s)? [3745-66-92(A)]	Yes	
<b>"Tank BST-1000-1 mechanical integrity certification report" prepared by Process Plus of Cincinnati dated February 12, 2009. The report left one outstanding item (installation of a 3-inch vacuum relief valve). DuPont provided by e-mail an 'equipment master report' that documents the installation and maintenance interval for this valve. The written assessment is deemed</b>			
12.	Does the written assessment include the following: [3745-66-92(A)]		
a.	Certification by an independent registered, professional engineer? [3745-66-92(A)]	Yes	
b.	Consideration of the design standards of the system? [3745-66-92(A)]	Yes	
c.	Consideration of the hazardous characteristics of the waste(s)? [3745-66-92(A)]	Yes	
d.	An evaluation by a corrosion expert (only if the external system/components are metal and in contact with soil or water)? [3745-66-92(A)]	Yes	
e.	A determination of design and operational measures that will be needed to protect the tank system from potential damage (only for underground tank components)? [3745-66-92(A)]	Yes	
f.	Design considerations to ensure that the tank foundations will maintain the load of a full tank? [3745-66-92(A)]	Yes	
g.	Design considerations for anchoring the unit to prevent floatation (only for tanks situated in a seismic fault zone or saturated zone)? [3745-66-92(A)]	N/A	
h.	Design considerations to ensure that the tank system will withstand the effects of frost heave(only for underground tank systems)? [3745-66-92(A)]	N/A	
<b>NOTE: CO-DHWM Engineering staff are available to assist you with evaluation of the written assessment.</b>			
13.	Are there written statements by those persons who supervised installation or certified design of the new tank system, that the tank system was properly installed and designed and that required repairs were performed? [3745-66-92(G)]	Yes	
Do the written statements address all of the following:			
a.	Inspection for damage and/or inadequate construction and installation was conducted? [3745-66-92(B)]	Yes	
b.	Statement that deficiencies were corrected before the tank system was covered or put into use? [3745-66-92(B)]	N/A	

c.	Proper backfilling? [3745-66-92(C)]	Yes	
d.	Tightness test; if the tank system was found not to be tight, does the statement indicate that proper repairs were made? [3745-66-92(D)]	N/A	
e.	Proper support and protection of ancillary equipment? [3745-66-92(E)]	Yes	
f.	Supervision of the installation of field fabricated corrosion protection? [3745-66-92(F)]	N/A	

**SECONDARY CONTAINMENT**

14.	Has secondary containment been provided?	Yes	
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*NOTE: All tank systems must have secondary containment at this point, except for tank systems that store/treat materials that become hazardous waste after January 12, 1987, must have secondary containment required within the time intervals in 3745-66-92(A)(1)] to (A)(4). The date the material became a hazardous waste must be used in place of January 12, 1987. [3745-66-92(A)(5)]*

15.	Is secondary containment one of the following:		
a.	<b>An External Liner?</b> [3745-66-93(E)(1)] If so,		
	i.	Is liner designed or operated to contain 100% of the capacity of the largest tank?	Yes
	ii.	Is liner designed and operated to prevent run-on and infiltration <u>or</u> the collection system has <u>excess</u> capacity to contain run-on and infiltration from a 25-year, 24-hour storm?	Yes
	iii.	Is liner free of cracks and gaps?	Yes
	iv.	Does liner completely surround the tank and cover all earth likely to be contacted by waste during a release?	Yes
	v.	Are chemically resistant water stops in place at all points? ( <i>concrete liners only</i> )	Yes
	vi.	Is there a compatible interior coating or lining to prevent migration of waste into the concrete? ( <i>concrete liners only</i> )	Yes
b.	<b>Vault System?</b> [3745-66-93(E)(2)] If so,		No
	i.	Is vault system designed to contain 100% of the capacity in the largest tank?	N/A
	ii.	Is liner designed and operated to prevent run-on and infiltration <u>or</u> the collection system has <u>excess</u> capacity to contain run-on and infiltration from a 25-year, 24-hour storm?	N/A
	iii.	Are chemically resistant water stops in place at all points?	N/A
	iv.	Is there a compatible interior coating to prevent migration into the concrete?	N/A
	v.	For <b>ignitable or reactive waste</b> : Is the vault system provided with means to prevent (or alternatively "protect against") the formation or ignition of vapors?	N/A
	vi.	Is vault system provided with an exterior moisture barrier?	N/A
c.	<b>Double-Walled Tank?</b> [3745-66-93(E)(3)] If so,		
	i.	Is double-walled tank designed as an integral structure to contain any release from the inner tank?	N/A
	ii.	<b>If metal</b> , are the primary tank interior and outer shell exterior surfaces protected from corrosion?	N/A
	iii.	Is double-walled tank provided with a continuous leak detection system able to detect a release within 24 hours or at the earliest practicable time?	N/A
d.	<b>An Equivalent Device?</b> As described in 3745-66-93(D)(4) which has been approved by the director? [3745-66-93(D&E)]		N/A

**SECONDARY CONTAINMENT DESIGN/OPERATION/INSTALLATION**

16.	Has each secondary containment system been designed, installed and	Yes	
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	operated to prevent <u>any</u> migration of wastes or liquid to the soil, groundwater, or surface water and is it capable of <u>detecting</u> and <u>collecting</u> releases and accumulated liquids? [3745-66-93(B)(1) and (2)]	
17.	Does the secondary containment system meet the following minimum requirements of [3745-66-93(C)]:	
a.	Constructed or lined with compatible materials of sufficient strength to prevent failure? [3745-66-93(C)(2)]	Yes
b.	Placed on a foundation or base capable of providing support? [3745-66-93(C)(2)]	Yes
c.	Provided with a leak detection system designed/operated to detect failure to primary or secondary containment or any release of hazardous waste within 24 hours or at earliest practicable time? [3745-66-93(C)(3)]	Yes
d.	Sloped or designed to drain and remove liquid resulting from leaks, spills or precipitation? [3745-66-93(C)(4)]	Yes
e.	Any liquid which accumulates in the containment unit resulting from spills, leaks or precipitation removed within 24 hours or in a timely manner? [3745-66-93(C)(4)]	Yes
<b>ANCILLARY EQUIPMENT REQUIREMENTS</b>		
18.	Is ancillary equipment provided with secondary containment (such as double-walled piping, jacketing or a trench)?	No
	<b>If not</b> , is the ancillary equipment one of the following: [3745-66-93(F)]	
a.	Above ground piping (exclusive of flanges, joints, valves and connections) that is inspected daily?	Yes
b.	Welded flanges, welded joints and/or welded connections that is inspected daily?	Yes
c.	Sealless or magnetic coupling pumps and/or sealless valves?	N/A
d.	Pressurized above ground piping systems with automatic shut-off devices (e.g., excess flow check valves, flow metering shutdown and/or loss of pressure-actuated shut-off devices) that is inspected daily?	N/A
<b>TANK SYSTEMS FOUND TO BE LEAKING OR UNFIT FOR USE</b>		
19.	Has there been a leak or spill from any tank system or has any tank system been found unfit for use? <b>If so</b> , did the o/o:	No
a.	Immediately cease flow of material into tank and investigate the cause of the release? [3745-66-96(A)]	N/A
b.	Remove waste from tank system to prevent further release within 24 hours of detection or earliest practicable time? [3745-66-96(B)(1)]	N/A
c.	Remove all material released into secondary containment system within 24 hours or as timely as possible to prevent harm to human health and the environment? [3745-66-96(B)(2)]	N/A
d.	For a visible release to the environment, immediately conduct a visual inspection of the release? [3745-66-96(C)]	N/A
e.	For a visible release to the environment, prevent further migration of the leak or spill to soils or surface waters? [3745-66-96(C)]	N/A
f.	For a visible release to the environment, properly dispose of any visibly contaminated soil or surface water? [3745-66-96(C)]	N/A
g.	Report any release to the environment to the director within 24 hours unless it was less than one pound and was cleaned up immediately? [3745-66-96(D)(1)]	N/A
h.	For a release to the environment, submit a written report of the incident to the director within 30 days of the release? [3745-66-96(D)(3)]	N/A
i.	Remediate the spill and repair the unit prior to returning it to service? [3745-66-96(E)(2)]	N/A

	j.	For a release from a tank system without secondary containment, did the o/o provide secondary containment meeting the requirements of 3745-66-93 for the unit prior to putting it back into service? [3745-66-96(E)(4)]	N/A
20.		In the event that the repairs to the tank system were major (e.g., replacement of liner, repair of ruptured primary or secondary containment structure), did the o/o obtain a certification from an independent, registered P.E. attesting that the repaired unit is capable of handling hazardous waste? [3745-66-96(F)]	N/A
21.		Was a copy of the certification submitted to the director within seven days after returning the system to use? [3745-66-96(F)]	N/A
22.		If the o/o was unable to repair and return the unit to service as described in 20.a through 20.e, was the tank system closed in accordance with 3745-66-97? [3745-66-96(E)(1)]	N/A
23.		Does the o/o have a tank system <b>with a variance from secondary containment</b> from which a release has occurred but <u>has not</u> migrated beyond the zone of engineering control? <b>If so,</b>	No
	a.	Has the o/o complied with 3745-66-96(A) through (F) and decontaminated soils? [3745-66-93(G)(3)]	N/A
	b.	If soils cannot be decontaminated/removed, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(3)]	N/A
24.		Does the o/o have a tank system <b>with a variance from secondary containment</b> from which a release occurred and <u>has</u> migrated from the zone of engineering control? <b>If so,</b>	No
	a.	Has the o/o complied with 3745-66-96(A) through (D), prevented migration, and decontaminated soil? [3745-66-93(G)(4)]	N/A
	b.	If soils cannot be decontaminated/removed, or if the groundwater has been contaminated, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(4)]	N/A

**DuPont Electronic Polymers manages hazardous waste in two tanks- Tank 66 and Tank T-1000-1. T-66 has been in use for several years and has been previously inspected. Tank T-1000-1 is not new but during previous inspections it had not stored hazardous waste and during the 2009 inspection it was empty. This is the first time this tank has been evaluated for the new tank standards. Note for item #6- Two fract tanks have been closed since the 2008 inspection. SWDO files contain correspondence describing the steps taken to close out the fract tanks. The closure was deemed adequate to comply with OAC 3745-66-97(A). Note that no releases to soils needed to be addressed in the closing of the fract tanks. Remark item 15(a)(iii) – A transfer pump serving a different tank in the spill containment area for Tank T-10000 was removed from service. This pump was mounted on a small (less than 1 foot square) pad. We were told that the cracks and imperfections we noticed on this mounting pad were surficial imperfections on the pad only and that the required external liner was continuous under the pad.**

**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 shoes, safety glasses, flame-retardant cover-alls ( supplied by facility)

**GENERAL REQUIREMENTS**

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes
2.	Are records of waste determination being kept for at least 3 years? [3745-52-40(C)]	Yes
3.	Has the generator obtained a U.S. EPA identification number? [3745-52-12]	Yes
4.	Were annual reports filed with Ohio EPA on or before March 1 <sup>st</sup> ? [3745-52-41(A)]	Yes
5.	Are annual reports kept on file for at least 3 years? [3745-52-40(B)]	Yes
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)]	No
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)]	No
8.	Does the generator accumulate hazardous waste?	Yes

*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)?	No
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*NOTE: If F006 waste is generated and accumulated for > 90 days and is recycled see 3745-52-34(G) & (H).*

10.	Does the generator treat hazardous waste in a: [ORC 3734.02(E)&(F)]	
a.	Container that meets 3745-66-70 to 3745-66-77?	Yes
b.	Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C)? Tank checklist attached for Tank-66. Fractionating tanks discussed in letter for 2008 inspection have been cleaned and returned to vendor.	Yes
c.	Drip pads that meet 3745-69-40 to 3745-69-45?	No
d.	Containment building that meets 3745-256-100 to 3745-256-102?	No

*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:	No
a.	Has the generator notified U.S. EPA of export activity? [3745-52-53(A)]	N/A
b.	Has the generator complied with special manifest requirements? [3745-52-54]	N/A
c.	For manifests that have not been returned to the generator: has an exception report been filed? [3745-52-55]	N/A
d.	Has an annual report been submitted to U.S. EPA? [3745-52-56]	N/A
e.	Are export related documents being maintained on-site? [3745-52-57(A)]	N/A

**MANIFEST REQUIREMENTS**

12.	Have all hazardous wastes shipped off-site been accompanied by a manifest? (U.S. EPA Form 8700-22) [3745-52-20(A)]	yes
13.	Have items (1) through (20) of each manifest been completed? [3745-52-20(A)]	Yes

NOTE: U.S. EPA Form 8700-22(A) (the continuation form) may be needed in addition to Form 8700-22. In these situations items (21) through (35) must also be completed. [3745-52-20(A)]

14.	Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)]	Yes	<input type="checkbox"/>
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NOTE: The generator may designate on the manifest one alternate facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)].

15.	If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternate TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)]	N/A	<input type="checkbox"/>
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16.	Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1) & (2)]	Yes	<input type="checkbox"/>
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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.

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)]	N/A	<input type="checkbox"/>
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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)]	N/A	<input type="checkbox"/>
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19.	Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40]	Yes	<input type="checkbox"/>
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**PERSONNEL TRAINING**

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 type="checkbox"/>
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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 type="checkbox"/>
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22.	Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)]	Yes	<input type="checkbox"/>
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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 type="checkbox"/>
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24.	Does the generator provide annual refresher training to employees? [3745-65-16(C)]	Yes	<input type="checkbox"/>
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25.	Does the generator keep records and documentation of:		
a.	Job titles? [3745-65-16D(1)]	Yes	<input type="checkbox"/>
b.	Job descriptions? [3745-65-16D(2)]	Yes	<input type="checkbox"/>
c.	Type and amount of training given to each person? [3745-65-16D(3)]	Yes	<input type="checkbox"/>
d.	Completed training or job experience required? [3745-65-16D(4)]	Yes	<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 type="checkbox"/>
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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
	all employees were trained on	
	May 1, 2009	

<b>CONTINGENCY PLAN</b>		
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
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
b.	Arrangements with emergency authorities? [3745-65-52(C)]	Yes
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
d.	A list of all emergency equipment, including: location, a physical description and brief outline of capabilities? [3745-65-52(E)]	Yes
e.	An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)]	Yes
Per Aaron, the contingency plan was not up-dated since the last inspection.		
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
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]	N/A
31.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55]	Yes
<i>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.</i>		
<b>EMERGENCY PROCEDURES</b>		
32.	Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so:	No
a.	Was the contingency plan implemented? [3745-65-51(B)]	N/A
b.	Did the facility follow the emergency procedures in 3745-65-56(A) through (H)?	N/A
c.	Did the facility submit a report to the Director within 15 days of the incident as required by 3745-65-56(J)?	N/A
<i>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.</i>		
<b>PREPAREDNESS AND PREVENTION</b>		
33.	Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31]	Yes
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
b.	Emergency communication device? [3745-65-32(B)]	Yes
c.	Portable fire control, spill control and decon equipment? [3745-65-32(C)]	Yes
d.	Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)]	Yes
35.	Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33]	Yes
36.	Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33]	Yes
37.	Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is	Yes

	not required under 3745-65-32)? [3745-65-34(A)]	
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)]	N/A
39.	Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35]	Yes
40.	Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)]	Yes
41.	Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)]	Yes

**SATELLITE ACCUMULATION AREA REQUIREMENTS**

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
	b. Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes
	c. Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)]	Yes
	d. Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)]	N/A
	e. Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]	Yes
	f. Containers are marked with words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)]	Yes
43.	Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:	No
	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)]	N/A
	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)]	N/A

**NOTE: DuPont manages wastes under the SAA rules at various locations locations-Plant 20, the Albemarle Building and the tank farms. SAA drums are located on all the floors of the process building and at several locations in Building 31, the former Albemarle Building.**  
**DuPont also manages a SAA drum near the spill control berms around tank T-10000-1. Residual liquids which drain from hoses used to fill tanker trucks are managed in this drum.**

**USE AND MANAGEMENT OF CONTAINERS IN <90 DAY ACCUMULATION AREAS**

44.	Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(A)(3)]	Yes
45.	Is the accumulation date on each container? [3745-52-34(A)(2)]	Yes
46.	Are hazardous wastes stored in containers which are:	Yes
	a. Closed (except when adding/removing wastes)? [3745-66-73(A)]	No
	b. In good condition? [3745-66-71]	Yes
	c. Compatible with wastes stored in them? [3745-66-72]	Yes
	d. Handled in a manner which prevents rupture/leakage? [3745-66-73(B)]	Yes

**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
	a. Are inspections recorded in a log or summary? [3745-66-74]	Yes
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
49.	Are containers of incompatible wastes stored separately from each other by	Yes

	means of a dike, berm, wall or other device? [3745-66-77(C)]	
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)]	N/A
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
<p><i>NOTE: OAC 3745-65-17(B) requires that the generator treat, store, or dispose of ignitable or reactive waste, and the mixture or commingling of incompatible wastes, or incompatible wastes and materials so that it does not create undesirable conditions or threaten human health or the environment.</i></p>		
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
<p><i>NOTE: DPEP discontinued using the fract tanks. The tanks were disconnected from their fittings and decontaminated before being returned to the vendors. The tank inspections document that there were no releases from the tanks and there are no associated contaminated soils. Aaron was provided with two letters from the 'Answer Place' which discuss generator tanks closure requirements.</i></p>		
<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
54.	Does each container <110 gallons have a completed hazardous waste label? [3745-52-32(B)]	Yes
55.	Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33]	Yes

**Remark: Items 44 and the following items refer to containers managed in the permitted storage area. DuPont does not manage containers of hazardous waste in a < 90 day storage area.**

**PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY**

**Facility Name:**DuPont Electronic Polymers    **Facility Type:** TSD, LQG    **EPA ID#:**OHD 004855292

<i>Description of Waste</i>				<i>On-Site Management</i>			<i>Off-Site Management</i>		
<b>Process/Activity Generating Waste</b> (e.g. plating bath, machining, baghouse, painting, etc)	<b>Waste Generated</b> (e.g. sludge, spent solvent, ash, etc)	<b>EPA Waste Code</b>	<b>QTY Generated per Month</b>	<b>Type of Accumulation/ Storage</b> (e.g. container, tank, etc)	<b>Type of On-Site Treatment</b> (recycle, wwt, etc)	<b>Waste Location</b> (Include map if possible)	<b>Name, state, and type of activity occurring at the facility.</b>	<b>P2 Activities</b>	
1	polymer production processes	spent solvent	D001 F003	production is way down from historic	tank T-66	none		Ross, incineration	DEP is seeking additional opportunities for off-site solvent
2	filtrate water from polymer production	water with higher levels of pyridine	D001 D038 F003	waste streams	tank T-10000-1		T-10000-1	Ross, incineration	
3	rinse water from process which occurs after the filtrate step above	water with lower levels of pyridine	D038		tank T-10000		T-10000-1	Perma-fix WWT	
4	lab and production processes	waste plastic bags from raw materials, absorbents, PPE, misc solid scraps	F003		drums		permitted storage area	Ross incineration	Potential for plastic bags to be recycled
5	production of agricultural product	acetone/water mixture	D001		blue poly drums		permitted storage area		waste stream has been decreasing over last several

**Remarks-General Information**

General Process information: Tank T-10000-1 has been put into service for the pyridine/water waste stream since the 2009 inspection. This is the first time this tank has been evaluated for compliance with the tank standards as it had not been in use at the time of the 2009 inspection. DuPont has begun operations including managing wastes under the SAA rules in Building 31 formerly occupied by the Albemarle Corp.

Albemarle has completed CRO.  
The fract tanks were taken out of service in March, 2009.

DuPont manages waste in steel drums under the SAA rules. All drums were appropriately labeled and were properly closed. The following is a partial list of drums managed under the SAA rules:

Building 20, first floor

- PPE, wipes, solid waste
- 2H API waste
- T-67 wastes
- McGill oven knockout pot waste

Building 20, second floor, contract prep room

- sample flush
- glycol flush

Additional satellite drums above the second floor were not inspected.

Building 31 (referred to elsewhere in the paperwork for this inspection and the inspections in previous years as the Albemarle Building)

- 2 satellite drums

An SAA drum is used outside of the containment berm around the spill containment dike around tank T-10000-1. The drum is used to store liquids which drain from hoses used to fill/empty tanker trucks.

We also saw three blue poly drums marked with the date of the inspection outside the permitted storage area. I determined that these drums were in the process of being moved into the permitted storage area and were in fact being managed properly.

**Regulatory/Enforcement History:** On the most recent hazardous waste compliance inspection conducted on March 24, 2009 DuPont was cited for violation of OAC 3745-66-93(C)(4) (failure to pump accumulated precipitation from secondary containment area for tank T-66) and OAC 3745-273-13(D)(1) (improper container management of universal waste lamps).

No violations were cited in 2008 but for the first time DuPont was told to manage waste in fract tanks under the tank management standards and not the container standards.

In 2007, DPEP was cited for violations of; OAC 3745-54-16(C) (permit condition B.6) for missing annual training requirements for one employee; OAC 3745-270-50(A)(2)(a) (permit condition B.40) for failing to label one drum with the accumulation start date; and OAC 3745-95(A)(1)-(4) for failing to perform daily inspections of tank T-66 over Independence Day weekend

1. Is the permittee complying with the following manifest requirements set forth in OAC Chapter 3745-52 and OAC rules 3745-54-70, 3745-54-71, 3745-54-72 and 3745-54-76: [Condition B.24]
  - a. All hazardous wastes shipped off-site have been accompanied by a completed manifest, U.S. EPA Form 8700-22 and, if necessary, U.S. EPA Form 8700-22A in compliance with OAC rule 3745-52-20(A)? Yes
  - b. The manifest form used contains all information required by OAC rule 3745-52-20 and the minimum number of copies required by OAC rule 3745-52-22? Yes
  - c. The permittee has designated at least one permitted disposal facility and has/will designate an alternate facility or instructions to return waste in compliance with OAC rule 3745-52-20(B)(c)(D)? Yes
  - d. Prepared manifests have been signed by the permittee and initial transporter in compliance with OAC rule 3745-52-23? Yes
  
2. As a permittee that generates hazardous waste, are signed copies of all hazardous waste manifests and any documentation required for exception reports retained for at least three years at the facility as required by OAC rules 3745-52-40 and 3745-54-71(A)(5)? Yes
  
3. Does the permittee use only properly registered transporters when removing hazardous wastes? [Condition A.16] Yes
  
4. Does the permittee give one copy of the manifest to the transporter, send one copy to the generator within 30 days, and keep one copy for at least three years? [3745-54-71(A)] Yes
  - If shipping papers are used in lieu of manifests (bulk shipments, etc.), are the same requirements met? [3745-54-71(B)] Yes
  - Are any significant discrepancies in the manifest, as Yes

defined in 3745-54-72(A) noted in writing on the manifest document?

**NOTE:** If the permittee is generating hazardous waste, remember to attach a complete generator checklist.

5. Have any manifest discrepancies been reconciled within 15 days as required by 3745-54-72(B)? If not: N/A
- a. Has the owner/operator submitted the required information to the director? N/A

### **WASTE ANALYSIS/WASTE ANALYSIS PLAN**

1. Does the permittee have a detailed chemical and physical analysis of waste streams which contains all information of the waste in accordance with OAC Chapters 3745-54 to 3745-57, 3745-218 and 3745-270 and the terms and conditions of the permit? [Condition B.3(a)] Yes
2. Does the permittee follow the procedures described in the WAP (Application Section 2)? [Condition B.3(b)] Yes
3. In accordance with OAC rule 3745-54-13(A)(3), does the permittee repeat the waste analysis when the process or operation generating the hazardous waste has changed, or at least annually? [Condition B.3] Yes
4. **Where applicable:** The methods which will be used to meet additional waste analysis requirements for specific waste management methods specified in rules 3745-54-17, 3745-57-14, 3745-57-41 and 3745-270-07 of the OAC? [3745-54-13(B)(6)] N/A
5. Does the permittee place the results of all waste analyses in the facility operating record in accordance with OAC rule 3745-54-73?

### **GENERAL INSPECTION REQUIREMENTS**

1.		Is the permittee following the inspection procedures and schedules as set forth in the permit (Section 4 of the approved Part B permit application) and the requirements of OAC rules 3745-54-15(A), (c) and (D)?[Condition B.5]
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- |    |  |     |
|----|--|-----|
| 2. | Is the permittee following the approved inspection schedule for inspecting: monitoring equipment, safety equipment, emergency equipment, security devices and operating and structural equipment as specified in OAC rule 3745-54-15(B)? | Yes |
|    | Is the schedule kept at the facility? [OAC rule 3745-54-15(B)(2)]  | Yes |
| 3. | Does the permittee remedy deterioration or any malfunctions discovered by an inspection as required by OAC rule 3745-54-15(c)? [Condition B.5]   | Yes |
| 4. | In accordance with OAC rule 3745-54-15(D) and Condition B.5 of the permit, do inspection records contain the following information:  |     |
|    | Date and time of inspection?   | Yes |
|    | Name of inspector?   | Yes |
|    | Notation of observations made?   | Yes |
|    | Date and nature of any repairs or other remedial actions?  | Yes |

**SECURITY REQUIREMENTS**

- |    |  |     |
|----|--|-----|
| 1. | Is the permittee complying with the following security provisions of OAC rule 3745-54-14 and Condition B.4 of the permit: [Section 4 of the Part B permit application]                                     |     |
|    | a. Does the permittee have a 24-hour surveillance system which continuously monitors and controls entry onto the active portion of the facility, or;   | Yes |
|    | b. An artificial or natural barrier (in good repair) which completely surrounds the active portion of the facility, and;   | Yes |
|    | A means to control entry, at all times, through gates or other entrances, to the active portion of the facility?   | Yes |
| 2. | In accordance with OAC rule 3745-54-14(c), does the permittee have signs reading Danger - Unauthorized Personnel Keep Out posted at entrances of the hazardous waste container storage building number 25. | Yes |

**FACILITY OPERATIONS**

- |    |   |     |
|----|---|-----|
| 3. | Is construction, maintenance and operation of the facility being conducted to minimize the possibility of a fire, explosion, or unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, ground or surface water? [OAC rule 3745-54-31; Condition B.1] | Yes |
| 4. | Does the permittee properly maintain and operate the facility to achieve compliance with the terms and conditions of the permit including: [Condition A.9]  |     |
|    | Effective management practices?   | Yes |
|    | Adequate funding?   | Yes |
|    | Adequate operator staffing and training?  | Yes |
|    | Adequate laboratory and process controls?   | Yes |

## PERSONNEL TRAINING

- |    |   |     |
|----|---|-----|
| 1. | Is the permittee conducting personnel training in accordance with the conditions of the permit and with the following requirements of OAC rule 3745-54-16?<br>[Condition B.6]   | Yes |
|    | The facility provides personnel training which includes instruction in safe equipment operation and emergency procedures and implementation of the contingency plan?<br>[OAC rule 3745-54-16(A)(B)(c)]                                      | Yes |
|    | The facility provides personnel training to new employees within six months after their date of employment as required by OAC rule 3745-54-16(B)?   | Yes |
|    | The facility provides an annual refresher training course as required by OAC rule 3745-54-16(c)?  | Yes |
| 2. | Is the permittee maintaining personnel training records as required by OAC rule 3745-54-16(D) and of the approved application, including: written job titles, job descriptions and documented employee training records?<br>[Condition B.6] | Yes |

Remark: See LQG checklist for names of workers whose training records were checked.

## REQUIRED EQUIPMENT

- |    |  |     |
|----|--|-----|
| 1. | Has the permittee equipped the facility with the following emergency equipment as required by OAC rule 3745-54-32 and Condition B.9 of the permit: |     |
|    | An internal communications or alarm system?  | Yes |
|    | A device such as a telephone which is capable of summoning emergency assistance from local emergency authorities?                                  | Yes |
|    | Portable fire extinguishes and/or fire control equipment, spill control and decontamination equipment?   | Yes |

- |    |   |     |
|----|---|-----|
|    | Water in adequate volume and pressure to supply water hose streams, foam producing equipment, automatic sprinklers or water spray systems?  | Yes |
| 2. | Is the permittee inspecting, testing and maintaining the equipment specified in Question No. 1 to ensure its proper operating in accordance with OAC rule 3745-54-33 and Condition B.10 of the permit?  | Yes |
| 3. | Whenever hazardous waste is being managed at the facility, has the permittee provided all personnel involved in the operation with immediate access to an internal alarm or emergency communication device as required by OAC rule 3745-54-34 and Condition B.11 of the permit? | Yes |

**CONTINGENCY PLAN - EMERGENCY PROCEDURES**

- |    |   |     |
|----|---|-----|
| 1. | In compliance with Condition B.13 of the permit and OAC rule 3745-54-37(A) and (B), does the permittee:   |     |
|    | Familiarize emergency response agencies with the layout of the facility, associated hazards, places where personnel will normally be working, entrances and possible evacuation routes?   | Yes |
|    | Inform such agencies of safety equipment, supplies, proper emergency safety procedures that are applicable to the facility?   | Yes |
|    | Familiarize the local hospital listed in the approved application with the properties of hazardous waste handled at the facility and the types of injuries or illness that could result from fires, explosions or releases at the facility? | Yes |
| 2. | Has a state or local agency declined to enter into the arrangements set forth in OAC rule 3745-54-37(A)? If so:   | Yes |
|    | Has the permittee documented the refusal in the operating record as required by OAC rule 3745-54-37(B)? [Condition B.13(b)]   | Yes |

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|----|---|-----|
| 3. | Has the permittee, in accordance with OAC rule 3745-54-53 submitted a copy of the approved contingency plan (including amendments, revisions or changes) to all local authorities, agencies and response contractors designated in the approved contingency plan? [Condition B.18(b)] | Yes |
| 4. | Has the permittee notified all parties identified in the contingency plan in writing of significant amendments, modifications, or revisions to the plan within fifteen days of the effective date of the change in the plan? [Condition B.18(b)]                                      | Yes |
| 5. | Has the permittee submitted a copy of the approved contingency plan and all revisions, amendments and modifications to the Ohio EPA, Division of Emergency and Remedial Response (DERR) in accordance with OAC rule 3745-54-53? [Condition B.18(c)]                                   | Yes |
| 6. | Is the permittee reviewing the approved contingency plan at least annually and amending the plan immediately if needed in compliance with OAC rule 3745-54-54? [Condition B.17]   | Yes |

**NOTE:** Also see Question No. 4 of Recordkeeping Requirements to verify that any changes to the contingency plan were submitted in accordance with OAC rule 3745-50-51.

**EMERGENCY COORDINATOR**

- |    |   |     |
|----|---|-----|
| 7. | In accordance with OAC rule 3745-54-55 and Condition B.19 of the permit, is an emergency coordinator on premises or on call at all times?                 | Yes |
| 8. | In accordance with OAC rule 3745-54-55 and Condition B.19 of the permit, is/are the emergency coordinator(s) at the facility familiar with the following: |     |
|    | Contingency plan?   | Yes |

	Facility operations/activities?	Yes
	Waste characterization and location?	Yes
	Location of all records in the facility?	Yes
	Facility layout?	Yes
9.	In accordance with OAC rule 3745-54-55, does/do the emergency coordinator(s) have the authority to commit the resources needed to carry out the contingency plan? [Condition B.19]	Yes
10.	Does the permittee have a contingency plan for the facility that: [Condition B.15]	
	Describes the actions facility shall take to comply with OAC rules 3745-54-51 through 3745-54-56 in response to fires, explosions, or any unplanned sudden or nonsudden release of hazardous waste or hazardous waste constituents to air, soil or surface water at the facility?	Yes
	Describes arrangements agreed to by local police, fire departments, hospitals, contractors and Ohio EPA and the local emergency response team to coordinate emergency services?	Yes
	Includes an up-to-date list of names, addresses and phone numbers (office and home) for all persons qualified to act as emergency coordinator in the order that they will assume responsibility for coordination of emergency response?	Yes
	Includes a list of all emergency equipment, including fire extinguishing systems, spill control equipment, communications and alarm systems and decontamination equipment?	Yes
	Includes the location and a physical description of each item on the list referenced in Question No. 10(d), and a brief outline of its capabilities?	Yes
	Includes an evaluation plan for facility personnel describing signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes, in	Yes

situations where the primary routes could be blocked by releases of hazardous waste?

### IMPLEMENTATION OF CONTINGENCY PLAN

11. Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents at the facility including spill or release of hazardous waste or hazardous waste constituents greater than or equal to 55 gallons; any spill or release of hazardous waste or hazardous waste constituents less than 55 gallons may result in a fire or explosion hazard as determined by the Emergency Coordinator; or any spill on-site that may potentially cause on or off-site soil and/or ground or surface water contamination; any spill or release of hazardous waste or hazardous waste constituents that is reported to the National Response Center or local (city or county) emergency response center because the spill exceeded the ARQ@ limits; any fire involving hazardous waste; any explosion involving hazardous waste; since the date of the last inspection? If so: No
- Did the permittee immediately implement the approved contingency plan and follow the emergency procedures described in OAC rule 3745-54-56? [Conditions B.14 and B.20] N/A
- Did the permittee immediately notify Ohio EPA's emergency response team using the 24-hour toll free number (800)282-9378 providing the following information: [OAC rule 3745-54-56(D)(2)]
- Name and telephone number of the reporter? N/A
- Name and address of the facility? N/A
- Time and type of incident? No
- Name and quantity of materials involved? No
- The extent of injuries? N/A
- The possible hazards to human health or the environment N/A

outside the facility?

Did the permittee collect and manage as hazardous waste all liquid or solid material resulting from fire, explosion, released material or emergency response materials until such time as the permittee can demonstrate to Ohio EPA that such waste are not hazardous wastes? [Condition B.16]

N/A

Within 15 days of the incident did the permittee submit to the director a written report of the incident? If so:

N/A

Did the report contain the elements set forth in OAC rule 3745-54-56(J)? [Condition B.23]

N/A

Did the permittee note in the operating record the time, date and details of any incident that required the implementation of the approved contingency plan as required by OAC rule 3745-54-56(J)? [Condition B.23]

N/A

### **CLOSURE REQUIREMENTS**

Does the permittee maintain the approved closure plan at the facility? [Condition B.29]

Yes

2. Is the permittee keeping at the facility and submitting annually to Ohio EPA, the latest closure cost estimate as required by OAC rule 3745-55-42(D) [Condition B.36]

Yes

3. Has the permittee amended the closure plan? If so:

No

Has the plan been amended in accordance with OAC rule 3745-55-18(D)? [Condition B.28]

N/A

**NOTE:** Also see Recordkeeping Requirements (Question #4) in order to verify that any changes to the closure plan were submitted in accordance with OAC rule 3745-50-51.

- |    |   |     |
|----|---|-----|
| 4. | Has the permittee closed the facility? If so:   | No  |
|    | Did the permittee complete closure of the facility 180 days after receiving the final volume of hazardous waste, as required by Condition B.31 of the permit?   | N/A |
|    | Was closure conducted in accordance with the closure performance standard of OAC rule 3745-55-11? [Condition B.26]  | N/A |
|    | Did the permittee carry out the approved closure plan as set found in Section 7 of the approved permit application? [Condition B.27]  | N/A |
|    | After receiving the final volume of hazardous waste, did the permittee remove all hazardous waste and complete closure activities in accordance with the schedule specified in the approved closure plan and as required by OAC rule 3745-55-13? [Condition B.31] | N/A |
|    | Has the permittee decontaminated and/or disposed of all facility equipment, structures and soils as required by OAC rule 3745-55-14 and the approved closure plan? [Condition B.32]   | N/A |
|    | Has the permittee certified that the facility has been closed in accordance with the specifications in the approved closure plan as required by OAC rule 3745-55-15? [Condition B.33]   | N/A |
|    | Has the permittee submitted a survey plat to the director and local zoning authority no later than the submission of certification of closure of each hazardous waste disposal unit? [Condition B.34]   | N/A |

**STORAGE OF HAZARDOUS WASTES IN CONTAINERS**

- |    |   |     |
|----|---|-----|
| 1. | Is the permittee storing in containers, only those wastes identified in Condition C.3? [Condition C.3]  | Yes |
| 2. | Does the permittee limit the total quantity of containerized waste to no more than 11,000 gallons of hazardous waste at any given time in the permitted containers area located in Building #25? [Condition C.1(a)] | Yes |

**NOTE:** *The requirements of Condition C do not apply to the permittee's activities as a generator accumulating hazardous waste for <90 days per OAC rule 3745-52-34(A). Please complete the applicable sections of the Generator Requirements checklist to document compliance with activities associated with <90 day accumulation of wastes.*

### CONDITION OF CONTAINERS

- |    |   |     |
|----|---|-----|
| 3. | Are containers holding hazardous wastes in good condition as required by OAC 3745-55-71? [Condition C.4] If not:  | Yes |
|    | Did the permittee transfer the hazardous waste from such a container to one that is in good condition or otherwise manage the waste in a manner that complies with the conditions of the permit?[Condition C.4] | N/A |
| 4. | Does the permittee ensure that all containers used at the facility are compatible with the hazardous waste to be stored in them as required by OAC rule 3745-55-72? [Condition C.5]                             | Yes |
| 5. | Does the permittee keep all containers closed during storage except when it is necessary to add or remove waste as required by OAC rule 3745-55-73? [Condition C.6(a)]  | Yes |
| 6. | Does the permittee store all containerized hazardous waste on the container storage containment system as described in Condition C.7 of the permit? [Condition C.7]   | Yes |

### INSPECTIONS

Does the permittee inspecting the container area weekly in accordance with OAC rule 3745-55-74 and the approved inspection schedule in Section 4 of the Part B permit application to detect leaking containers and deterioration of containers and the containment system? [Condition C.9]

Does the permittee note the results of these inspections in the inspection log along with any remedial action taken as required by OAC rule 3745-54-15(D)?

Yes

## CONTAINMENT SYSTEM

- |     |   |     |
|-----|---|-----|
| 8.  | Does the permittee maintain the containment system as described in the approved permit application, Section 3, including: [Condition C.7]   | Yes |
|     | Sufficient capacity to hold 10% of the total volume of containers or the volume of the largest container, whichever is greater.   | Yes |
|     | A system which is free of gaps and sufficiently impervious to contain leaks and spills?   | Yes |
| 9.  | Has the permittee had a spill or leak of wastes? If so:   | No  |
|     | Was spilled or leaked waste removed in a timely manner? [Condition C.7(e)]  | N/A |
| 10. | Is the permittee maintaining adequate aisle space to allow unobstructed movement of personnel and equipment in the event of an emergency as required by OAC rule 3745-54-35 and Condition B.12 of the permit?         | Yes |
| 11. | Is the permittee in compliance with the requirements of OAC rules 3745-54-17 and 3745-55-76, the approved application and conditions of the permit? [Condition C.11(a)]   | Yes |
| 12. | Does the permittee store containers of ignitable or reactive wastes greater than 15 meters (50 feet) from the facility's property line? [Condition C.11(b)]   | Yes |
| 13. | Does the permittee take precautions to prevent accidental ignition or reaction of ignitable or reactive waste and follow the storage procedures specified in Section 4 of the permit application? [Condition C.11(c)] | Yes |
| 14. | Does the permittee provide electrical grounding for all containers and tanks, and transport vehicles during all operations involving the handling of ignitable or reactive wastes? [Condition B.7(b)]                 | Yes |
| 15. | Does the permittee provide and require the use of spark proof tools during all operations involving the handling of ignitable or reactive wastes? [Condition B.7(c)]  | Yes |
| 16. | Does the permittee prohibit smoking and open flames in each area where ignitable, reactive or incompatible  | Yes |

- hazardous wastes are managed and post appropriate sign? [Condition B.7(d)]
17. Does the permittee prevent hazardous waste from being placed in an unwashed container that previously held an incompatible waste or material? [Condition C.12(c)] Yes

**LAND DISPOSAL RESTRICTION REQUIREMENTS**

**NOTE:** *In order to determine compliance with all applicable LDR requirements the inspector may need to complete the separate LDR checklist:*

1. Does the permittee comply with all applicable regulations regarding land disposal prohibitions and restrictions as required by OAC Chapter 3745-270? Yes
2. Does the permittee comply with the notification and certification requirements of OAC rule 3745-270-07(A)? Yes
3. Does the permittee comply with the requirements of OAC rule 3745-270-03 and does not in any way dilute a restricted waste or treatment residue as a substitute for adequate treatment? Yes
4. Does the permittee retain supporting data used to determine if wastes managed at the facility are restricted from land disposal in the facility files as required by OAC rule 3745-270-07(A)(5)? Yes
- Are copies of all notices, certifications, demonstrations, waste analysis and other documentation produced pursuant to OAC Chapter 3745-270 retained for a period of three years as required by OAC rule 3745-270-07(A)? Yes
5. Is the permittee in compliance with the requirements of OAC rule 3745-270-50 regarding the storage of wastes restricted or prohibited from land disposal under OAC rule 3745-270-50? Yes

**CORRECTIVE ACTION**

- |    |   |     |
|----|---|-----|
| 1. | Has the permittee submitted the monthly progress report for all corrective action activities? (This report is due by the 15 <sup>th</sup> of the month following the reporting period.)<br>[Condition ____] | N/A |
| 2. | Has the permittee identified any new WMUs or releases at the facility? [Condition E.10]? If so:   | No  |
|    | Did the permittee follow the steps indicated in Conditions E.10(a) and (b) and E.11?  | N/A |

**LDR CHECKLIST**  
**DuPont Electronic Polymers**  
**OHD 004 855 292**  
**inspected on April 15, 2008**

**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 |
|    | a. For determinations based solely on knowledge of the waste: Is supporting data retained on-site? [3745-270-07(A)(6)]               | Yes |
|    | b. For determinations based upon analytical testing: Is waste analysis data retained on-site? [3745-270-07(A)(6)]                    | Yes |
| 2. | Has the generator determined each EPA hazardous waste code applicable to the waste? [3745-270-07(A)(2) see Table 1]                  | Yes |
| 3. | Has the generator determined the correct "treatability group(s)" (e.g., wastewater, non-wastewater, etc.)? [3745-270-07(A), Table 1] | Yes |
| 4. | Does the generator generate a characteristic hazardous waste? If so:   | Yes |
|    | a. Have all underlying hazardous constituents (UHCs) been identified? [3745-270-09(A)]   | Yes |

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**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 |
|    | 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 |

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**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 |
|----|--|-----|

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**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

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**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)] No

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**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)] No
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: No
- a. The facility can dispose of hazardous waste in a on-site landfill or surface impoundment.[3745-270-05] N/A
11. Does the facility have an extension to allow for a restricted waste to be land disposed?[3745-270-06] If so: No
- a. The facility can land dispose of the waste. [3745-270-06] N/A
12. Does the facility treat wastes that are otherwise prohibited from land disposal, in a surface impoundment? No
- If so:
- a. Has the facility complied with 3745-270-04? N/A

## 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
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)] N/A
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)] N/A
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
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: No
- 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)] N/A
- 

**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
-

**SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS – BATTERIES AND LAMPS**

**Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg or more**

**Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less**

**PROHIBITIONS**

1.	Did the SQUWH dispose of universal waste? [3745-273-11(A)]	No
2.	Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in OAC rule 3745-273-17 or managing specific wastes as provided in OAC rule 3745-273-13? [3745-273-11(B)]	No

**WASTE MANAGEMENT AND LABELING/MARKING**

**UNIVERSAL WASTE BATTERIES**

3.	Are batteries that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)]	N/A
4.	If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)]	Yes
5.	Are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)]	N/A
6.	If the electrolyte is removed or other wastes generated, has it been determined whether the electrolyte or other wastes exhibit a characteristic of hazardous waste? [3745-273-13(A)(3)]	N/A
	a. If the electrolyte or other waste is characteristic, is it managed in compliance with OAC Chapters 3745-50 through 3745-69? [3745-273-13(A)(3)(a)]	N/A
	b. If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)]	N/A
7.	Are the batteries or containers of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)"? [3745-273-14(A)]	Yes

**UNIVERSAL WASTE LAMPS**

8.	Does the SQUWH contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)]	No-Long florescent tubes were packed in an open card board box lying on its side. Some tubes were protruding outside the box.
9.	Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage, spillage or damage that could cause leakage or releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)]	N/A

**NOTE: Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)].**

10.	Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)"? [3745-273-14(E)]	Yes
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**ACCUMULATION TIME**

11.	Is the waste accumulated for less than one year? [3745-273-15(A)]	Yes
	a. If not, is the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)] (this change makes it like the LQUWH checklist)	N/A

**NOTE: Accumulation is defined as date generated or date received from another handler.**

12.	Is the handler able to demonstrate the length of time the universal waste	Yes
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	has been accumulated? [3745-273-15(C)] If yes, describe below: Facility schedules pick ups more frequently than annually.	
<b>EMPLOYEE TRAINING</b>		
13.	Are employees who handle or have the responsibility for managing universal waste informed of waste handling/emergency procedures, relative to their responsibilities? [3745-273-16]	Yes <input type="checkbox"/>
<b>RESPONSE TO RELEASES</b>		
14.	Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]	N/A <input type="checkbox"/>
15.	Is the material released characterized? [3745-273-17(B)]	N/A
16.	If the material released is a hazardous waste, was it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered the generator of the waste and is subject to OAC Chapter 3745-52) [3745-273-17(B)]	N/A
<b>OFF-SITE SHIPMENTS</b>		
<i>NOTE: If a SQUWH self-transport waste, then the handler must comply with the Universal Waste transporter requirements.</i>		
17.	Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]	Yes <input type="checkbox"/>
18.	Is the handler aware of DOT requirements for packaging and shipping? If no, make aware of 49 CFR 171-180.	Yes <input type="checkbox"/>
19.	Prior to shipping universal waste off-site, does the originating handler ensure that the receiver agrees to receive the shipment? [3745-273-18(D)] (this change makes it like the LQUWH checklist)	Yes <input type="checkbox"/>
20.	Has the originating handler ever had an off-site shipment rejected by another handler or destination facility?	No <input type="checkbox"/>
a.	If yes, did the originating handler receive the waste back or agree to where the shipment was sent? [3745-273-18(E)(2)]	N/A
21.	If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss and do <u>one</u> of the following:	N/A
a.	Send the waste back to the originating handler or send the shipment to a destination facility (If both the originating and receiving handler agree)? [3745-273-18(F)(2)] (this change makes it like the LQUWH checklist)	N/A
22.	If the handler received a shipment of hazardous waste that was not a universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)]	N/A
<b>EXPORTS</b>		
23.	Is waste being sent to a foreign destination? If so:	No <input type="checkbox"/>
a.	Does the small quantity handler comply with primary exporter requirements in OAC rules 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)]	N/A
b.	Is waste exported only upon consent of the receiving country and in conformance with the U.S. EPA "Acknowledgment of Consent" as defined in OAC rules 3745-52-50 to 3745-52-57? [3745-273-20(B)]	N/A
c.	Is a copy of the U.S. EPA "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]	N/A

**LQG TANK SYSTEM REQUIREMENTS (OAC rule 3745-52-34(A) and OAC rules 3745-66-90 through 3745-66-100)**

DuPont Electronic Polymers

OHD 004855292

Inspection date March 24, 2009

This checklist applies to Tank T-66. DPEP states that there have been no physical/engineering changes to the tanks since the inspection conducted on January 29, 2007. The 'frac tanks' discussed in the 2008 inspection letter have been deconned and returned to the vendor.

1. Is each tank clearly labeled/marked with the words "Hazardous Waste" [3745-52-34(A)(3)]? Yes

**TANK SYSTEM – GENERAL OPERATING REQUIREMENTS**

2. Does the o/o follow the general operating requirements below:
- a. Does the o/o prevent placement of hazardous waste or treatment reagents in tank or secondary containment if such placement can cause the system to leak, rupture, corrode, or otherwise fail?[3745-66-94(A)] Yes
  - b. Does the o/o use appropriate controls to prevent spills or overflows from the system (e.g., check valves, dry disconnect couplings, high level alarms, etc.)?[3745-66-94(B)] Yes
  - c. If a leak or spill has occurred in the tank system, has the o/o complied with 3745-66-96?[3745-66-94(C)] N/A

**TANK SYSTEM – INSPECTION REQUIREMENTS**

3. Has the o/o documented the inspections required in 3745-66-95, in the operating record, including inspection of the following:
- a. Spill control equipment each operating day? [3745-66-95(A)(1)] Yes
  - b. Above ground portion of tank each operating day?[3745-66-95(A)(2)] Yes
  - c. Data from leak detection equipment each operating day?[3745-66-95(A)(3)] Yes
  - d. Construction materials and area immediately surrounding the tanks for signs of erosion or release of hazardous waste each operating day?[3745-66-95(A)(4)] Yes

*NOTE: "Each operating day" is each day that the tank system is being used to manage (store or treat) hazardous waste.*

4. Where applicable, the cathodic protection system to confirm proper operation within six months of initial installation and annually thereafter?[3745-66-95(B)(1)] N/A
5. Where applicable, all sources of impressed current at least bi-monthly?[3745-66-95(B)(2)] N/A

**TANK SYSTEM CLOSURE REQUIREMENTS**

6. If the generator has closed a <90 day tank, was closure completed in accordance with OAC 3745-66-97 (except for paragraph C)? N/A

**TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES**

7. For tanks used to treat or store ignitable or reactive wastes, has the o/o complied with **one of the following**: [3745-66-98(A)] Yes
- a. Is the waste treated immediately after placement in the tank so that the resultant mixture is no longer ignitable or reactive and the o/o has conducted such activities in compliance with 3745-66-17(B)?[3745-66-98(A)]; **OR** No
  - b. Is the waste stored or treated to protect it from materials or conditions which may cause ignition or reaction?[3745-66-98(A)]; **OR** Yes
  - c. The tank is used solely for emergencies?[3745-66-98(A)] No
8. If ignitable or reactive waste is stored or treated, are protective distances maintained between waste management areas and any public streets, alleys or adjoining property lines as required by the NFPA Flammable and Combustible Liquids Code (1996)? [3745-66-98(B)] Yes
9. Has the o/o placed incompatible wastes or materials into the same tank system, or into a tank system that has not been decontaminated and which previously held an incompatible waste or material?[3745-66-99(A) and/or (B)] No
- a. **If so**, have the requirements of 3745-65-17(B) been met?[3745-66-99(A) and/or (B)] N/A

**TANK SYSTEM – WASTE ANALYSIS REQUIREMENTS**

10. In addition to conducting the waste analysis required by 3745-65-13, when the tank system is used to store or treat a waste which is substantially different or uses a substantially different process than previously used, has the o/o done one of the following:[3745-66-100]
- a. Conducted waste analysis and trial treatment or storage tests?[3745-66-100(A)]; **OR** N/A

- b. Obtained written documentation on similar waste under similar operating conditions to show that the proposed storage/treatment will meet the requirements of OAC 3745-66-94? [3745-66-100(B)] N/A

### TANK SYSTEMS REQUIREMENTS

11. Is there a written assessment attesting that the design, installation and structural integrity of the system is adequate for the management of hazardous waste(s)? [3745-66-92(A)] Yes

*NOTE: You should review the file to see if the written assessment has been previously reviewed and what the results were.*

12. Does the written assessment include the following: [3745-66-92(A)]
- a. Certification by an independent registered, professional engineer? [3745-66-92(A)] Yes
  - b. Consideration of the design standards of the system? [3745-66-92(A)] Yes
  - c. Consideration of the hazardous characteristics of the waste(s)? [3745-66-92(A)] Yes
  - d. An evaluation by a corrosion expert (only if the external system/components are metal and in contact with soil or water)? [3745-66-92(A)] Yes
  - e. A determination of design and operational measures that will be needed to protect the tank system from potential damage (only for underground tank components)? [3745-66-92(A)] N/A
  - f. Design considerations to ensure that the tank foundations will maintain the load of a full tank? [3745-66-92(A)] Yes
  - g. Design considerations for anchoring the unit to prevent floatation (only for tanks situated in a seismic fault zone or saturated zone)? [3745-66-92(A)] N/A
  - h. Design considerations to ensure that the tank system will withstand the effects of frost heave (only for underground tank systems)? [3745-66-92(A)] N/A

*NOTE: CO-DHWM Engineering staff are available to assist you with evaluation of the written assessment.*

13. Are there written statements by those persons who supervised installation or certified design of the new tank system, that the tank system was properly installed and designed and that required repairs were performed? [3745-66-92(G)] Yes

Do the written statements address all of the following:

- a. Inspection for damage and/or inadequate construction and installation was conducted? [3745-66-92(B)] Yes
- b. Statement that deficiencies were corrected before the tank system was covered or put into use? [3745-66-92(B)] Yes
- c. Proper backfilling? [3745-66-92(C)] N/A
- d. Tightness test; if the tank system was found not to be tight, does the statement indicate that proper repairs were made? [3745-66-92(D)] Yes
- e. Proper support and protection of ancillary equipment? [3745-66-92(E)] Yes
- f. Supervision of the installation of field fabricated corrosion protection? [3745-66-92(F)] Yes

### SECONDARY CONTAINMENT

14. Has secondary containment been provided? Yes

*NOTE: All tank systems must have secondary containment at this point, except for tank systems that store/treat materials that become hazardous waste after January 12, 1987, must have secondary containment required within the time intervals in [3745-66-92(A)(1)] to (A)(4). The date the material became a hazardous waste must be used in place of January 12, 1987. [3745-66-92(A)(5)]*

15. Is secondary containment one of the following:

- a. An **External Liner**? [3745-66-93(E)(1)] If so,
  - i. Is liner designed or operated to contain 100% of the capacity of the largest tank? Yes
  - ii. Is liner designed and operated to prevent run-on and infiltration or the collection system has excess capacity to contain run-on and infiltration from a 25-year, 24-hour storm? Yes
  - iii. Is liner free of cracks and gaps? Yes
  - iv. Does liner completely surround the tank and cover all earth likely to be contacted by waste during a release? Yes
  - v. Are chemically resistant water stops in place at all points? (concrete liners only) Yes
  - vi. Is there a compatible interior coating or lining to prevent migration of waste into the concrete? (concrete liners only) Yes
- b. **Vault System**? [3745-66-93(E)(2)] If so, No

- i. Is vault system designed to contain 100% of the capacity in the largest tank? N/A
- ii. Is liner designed and operated to prevent run-on and infiltration or the collection system has excess capacity to contain run-on and infiltration from a 25-year, 24-hour storm? N/A
- iii. Are chemically resistant water stops in place at all points? N/A
- iv. Is there a compatible interior coating to prevent migration into the concrete? N/A
- v. For **ignitable or reactive waste**: Is the vault system provided with means to prevent (or alternatively "protect against") the formation or ignition of vapors? N/A
- vi. Is vault system provided with an exterior moisture barrier? N/A
- c. **Double-Walled Tank?** [3745-66-93(E)(3)] If so, No
  - i. Is double-walled tank designed as an integral structure to contain any release from the inner tank? N/A
  - ii. **If metal**, are the primary tank interior and outer shell exterior surfaces protected from corrosion? N/A
  - iii. Is double-walled tank provided with a continuous leak detection system able to detect a release within 24 hours or at the earliest practicable time? N/A
- d. **An Equivalent Device?** As described in 3745-66-93(D)(4) which has been approved by the director? [3745-66-93(D&E)] No

**SECONDARY CONTAINMENT DESIGN/OPERATION/INSTALLATION**

- 16. Has each secondary containment system been designed, installed and operated to prevent any migration of wastes or liquid to the soil, groundwater, or surface water and is it capable of detecting and collecting releases and accumulated liquids?[3745-66-93(B)(1) and (2)] Yes
- 17. Does the secondary containment system meet the following minimum requirements of [3745-66-93(C)]:
  - a. Constructed or lined with compatible materials of sufficient strength to prevent failure?[3745-66-93(C)(2)] Yes
  - b. Placed on a foundation or base capable of providing support?[3745-66-93(C)(2)] Yes
  - c. Provided with a leak detection system designed/operated to detect failure to primary or secondary containment or any release of hazardous waste within 24 hours or at earliest practicable time?[3745-66-93(C)(3)] Yes
  - d. Sloped or designed to drain and remove liquid resulting from leaks, spills or precipitation?[3745-66-93(C)(4)] Yes
  - e. Any liquid which accumulates in the containment unit resulting from spills, leaks or precipitation removed within 24 hours or in a timely manner?[3745-66-93(C)(4)] No

See NOV letter for violation.

**ANCILLARY EQUIPMENT REQUIREMENTS**

- 18. Is ancillary equipment provided with secondary containment (such as double-walled piping, jacketing or a trench)? No
- If not**, is the ancillary equipment one of the following: [3745-66-93(F)]
  - a. Above ground piping (exclusive of flanges, joints, valves and connections) that is inspected daily? Yes
  - b. Welded flanges, welded joints and/or welded connections that is inspected daily? Yes
  - c. Sealless or magnetic coupling pumps and/or sealless valves? No
  - d. Pressurized above ground piping systems with automatic shut-off devices (e.g., excess flow check valves, flow metering shutdown and/or loss of pressure-actuated shut-off devices) that is inspected daily? No

**TANK SYSTEMS FOUND TO BE LEAKING OR UNFIT FOR USE**

- 19. Has there been a leak or spill from any tank system or has any tank system been found unfit for use? **If so**, did the o/o: No

**NOTE:** If the tank is found to be unfit for use, inspector should explain why.

- a. Immediately cease flow of material into tank and investigate the cause of the release?[3745-66-96(A)] N/A
- b. Remove waste from tank system to prevent further release within 24 hours of detection or earliest practicable time?[3745-66-96(B)(1)] N/A

- c. Remove all material released into secondary containment system within 24 hours or as timely as possible to prevent harm to human health and the environment?[3745-66-96(B)(2)] N/A
- d. For a visible release to the environment, immediately conduct a visual inspection of the release?[3745-66-96(C)] N/A
- e. For a visible release to the environment, prevent further migration of the leak or spill to soils or surface waters?[3745-66-96(C)] N/A
- f. For a visible release to the environment, properly dispose of any visibly contaminated soil or surface water? [3745-66-96(C)] N/A
- g. Report any release to the environment to the director within 24 hours unless it was less than one pound and was cleaned up immediately? [3745-66-96(D)(1)] N/A
- h. For a release to the environment, submit a written report of the incident to the director within 30 days of the release? [3745-66-96(D)(3)] N/A
- i. Remediate the spill and repair the unit prior to returning it to service? [3745-66-96(E)(2)] N/A
- j. For a release from a tank system without secondary containment, did the o/o provide secondary containment meeting the requirements of 3745-66-93 for the unit prior to putting it back into service? [3745-66-96(E)(4)] N/A

*NOTE: The requirements noted in 20.j. do not apply if the release was from an above ground component of the tank which can be inspected visually after being put back into service.*

- 20. In the event that the repairs to the tank system were major (e.g., replacement of liner, repair of ruptured primary or secondary containment structure), did the o/o obtain a certification from an independent, registered P.E. attesting that the repaired unit is capable of handling hazardous waste? [3745-66-96(F)] N/A
- 21. Was a copy of the certification submitted to the director within seven days after returning the system to use? [3745-66-96(F)] N/A
- 22. If the o/o was unable to repair and return the unit to service as described in 20.a through 20.e, was the tank system closed in accordance with 3745-66-97? [3745-66-96(E)(1)] N/A
- 23. Does the o/o have a tank system **with a variance from secondary containment** from which a release has occurred but has not migrated beyond the zone of engineering control? N/A  
  - If so,**
  - a. Has the o/o complied with 3745-66-96(A) through (F) and decontaminated soils? [3745-66-93(G)(3)] N/A
  - b. If soils cannot be decontaminated/removed, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(3)] N/A
- 24. Does the o/o have a tank system **with a variance from secondary containment** from which a release occurred and has migrated from the zone of engineering control? **If so,** No  
  - a. Has the o/o complied with 3745-66-96(A) through (D), prevented migration, and decontaminated soil? [3745-66-93(G)(4)] N/A
  - b. If soils cannot be decontaminated/removed, or if the groundwater has been contaminated, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(4)] N/A