



**Environmental
Protection Agency**

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

August 8, 2012

**ATHENS COUNTY
GENERAL FILE
(CITY OF ATHENS
WATER TREATMENT PLANT)
DMWM/SEDO
OHD987031689**

Ms. Crystal Kynard, Plant Manager
City of Athens Water Treatment Plant
395 West State Street
Athens, Ohio 45701

Dear Ms. Kynard:

On June 14, 2012, I inspected the City of Athens Water Treatment Plant (Water Plant) in Athens, Ohio to determine the Water Plant's compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). The inspection was conducted in response to an anonymous report I received on June 4, 2012, that 55-gallons of waste hydrofluosilicic acid was dumped into the Water Plant's brine lagoon. Ken Mettler, Ohio EPA Special Investigations, accompanied me on the inspection. The inspection included a review of plant operations and records.

I identified the following violations of Ohio's hazardous waste laws. In order to correct these violations you must do the following and send me the required information ***within 14 days*** of your receipt of this letter:

- (1) ***ORC § 3734.02(E) and (F), Establishing and Operating a Hazardous Waste Facility:*** (E) No person shall establish or operate a hazardous waste facility without a hazardous waste facility installation and operation permit. (F) No person shall dispose of hazardous waste or transport or cause hazardous waste to be transported to any other premises except to or at a hazardous waste permitted facility.

On June 4, 2012, the Water Plant disposed of a 55-gallon drum of waste hydrofluosilicic acid by dumping it into the Water Plant's brine lagoon. According to the hydrofluosilicic acid material safety data sheet provided by the City of Athens, this acid had a pH of 1.2. Therefore, this material was a characteristic corrosive hazardous waste with the waste code D002. By dumping this waste into the brine lagoon, the Water Plant established a hazardous waste facility without a hazardous waste facility installation and operation permit. The dumping of this waste was disposal of hazardous waste at a premise other than a hazardous waste permitted facility, in violation of this rule.

Since the Water Plant violated ORC §3734.02(E) and (F), the Water Plant is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have the Water Plant begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

- (2) **OAC Rule 3745-52-11, Waste Evaluation:** Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.

The facility did not adequately evaluate the following wastes:

- two drums of waste hydrofluosilicic acid, and
- spent lighting generated at the facility.

During the inspection it was determined that the Water Plant had had two drums of hydrofluosilicic acid in storage as backup to the hydrofluosilicic acid tank. In the process of preparing to take the hydrofluosilicic acid tank out of service for cleaning and inspection, it was determined that the two drums of hydrofluosilicic acid were out of date and therefore would not be used for their intended purpose, water fluoridation. On June 4, 2012 one of the drums was dumped into the Water Plant's brine lagoon without being evaluated to determine if the waste hydrofluosilicic acid was a hazardous waste. According to the hydrofluosilicic acid material safety data sheet, this acid has a pH of 1.2. Therefore this acid is a characteristic corrosive hazardous waste with the waste code D002. At the time of the inspection, the second drum of hydrofluosilicic acid was being stored for future disposal.

The Water Plant uses compact fluorescent lamps and fluorescent lamp tubes for lighting. These lamps have not been evaluated to determine if they are a hazardous waste. It was reported that when spent, these lamps are disposed with the Water Plant's solid waste. Spot checks of the Water Plants operating log showed that lamps were changed on May 4, 2012 and October 29, 2008. No waste lamps were on-site at the time of the inspection.

In order to return to compliance with this rule for the hydrofluosilicic acid, provide a written response stating what your waste evaluation of the remaining drum of acid is and how the remaining drum is/was managed in light of its waste evaluation.

For the fluorescent lamps used by the Water Plant, you may either state what your waste evaluation is and provide supporting documentation, or provide documentation that you will manage spent lamps as a universal waste. If you manage your lamps as a universal waste you are not required to evaluate them. For more information I have enclosed a fact sheet titled *Fluorescent Lamps: What You Should Know* and a list of lamp recyclers in Ohio.

- (3) **OAC Rule 3745-52-34(D)(5)(b), Accumulation Time of Hazardous Waste:** Small Quantity Generators of hazardous waste must post the following information next to the telephone:(i) The name and telephone number of the emergency coordinator; (ii) Location of fire extinguishers and spill control material, and, if present, fire alarm(s); and (iii) The telephone number of the fire department, unless the facility has a direct alarm.

At the time of the inspection, the required emergency information was not posted by the telephone.

The Water Plant must return to compliance with this rule by submitting a photo showing that the required information has been posted by the phone or by demonstrating that you have returned to conditionally exempt small quantity generator status so that this rule is no longer applicable.

- (4) **OAC Rule 3745-52-34(D)(4), Accumulation Time of Hazardous Waste:** Small Quantity Generators of hazardous waste must have the date upon which each period of accumulation and/or treatment begins clearly marked and visible for inspection on each container; and while being accumulated and/or treated on-site, each container and tank must be labeled or marked clearly with the words "Hazardous Waste;"

The containers of sodium hydroxide and hydrofluosilicic acid were not labeled with the words "Hazardous Waste" or with the accumulation date.

The Water Plant must return to compliance with this rule by submitting a photo showing that the drums have been properly labeled or by demonstrating that these wastes have been shipped off-site for disposal so that this rule is no longer applicable.

- (5) **OAC Rule 3745-66-74, Inspections:** The owner or operator must inspect areas where containers are stored, at least once during the period from Sunday to Saturday, looking for leaks and for deterioration caused by corrosion or other factors. The owner or operator must record inspections in an inspection log or summary.

Weekly inspections of the container accumulation area were not being conducted.

The Water Plant must return to compliance with this rule by submitting a copy of a completed weekly inspection log or by demonstrating that all drums of hazardous waste have been shipped off-site for disposal so that this rule is no longer applicable.

Comments:

- (A) During the inspection you told us that it has been the normal practice of the Water Plant to dispose of unwanted sodium hypochlorite in the brine lagoon. Sodium hypochlorite is used to disinfect newly installed water lines. You stated that if there is any sodium hypochlorite left over from a water line installation, it is brought back to the Water Plant and sometime later put into the lagoon to get rid of it. Typically this would be $\frac{1}{4}$ of a 55-gallon drum or less. Not every waterline installation results in left over sodium hypochlorite.

During the inspection we reviewed records of water line extensions from the past 10 years. Since 2008 there has been a notable decrease in the number of new waterlines installed. This has been attributed to the decrease in new construction since the economic downturn. In a review of the Water Plant's past 10 years of operating records we found no record of sodium hypochlorite being dumped in the brine lagoon. Our record review looked at the time period in the log following each water line extension. It also included random spot checks of each year's operating log.

While there is no record documenting that the disposal of sodium hypochlorite occurred, you have stated that it did occur. Any unwanted chemical is considered a waste under OAC Rule 3745-51-02. OAC Rule 3745-52-11 requires any person who generates a waste to evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.

Because of its high pH, waste sodium hypochlorite would be a hazardous waste. Therefore this practice of disposing of unwanted sodium hypochlorite in the brine lagoon must cease.

- (B) At the time of the inspection the Water Plant had two drums of unwanted sodium hydroxide. You stated that you were working with BBU Services to determine how to dispose of these drums. Please provide documentation, such as a hazardous waste manifest, of how and where the sodium hydroxide was disposed.

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

City of Athens Water Treatment Plant
August 8, 2012
Page 5

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

Enclosed is a copy of the checklists completed as a result of the inspection. You can find Ohio's hazardous waste rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>

If you have any questions, please contact me by telephone at (740) 380-5248 or by e-mail at Elizabeth.Herron @epa.ohio.gov.

Sincerely,



Elizabeth A. Herron
Environmental Specialist
Division of Materials and Waste Management

EAH/dh

Enclosures

cc: Ken Mettler, SEDO, OSI
Jennifer Witte, SEDO, DSW
Janet Barth, SEDO, DDAGW

NOTICE:

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

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
---	---	-----------------------

Completed verification forms required to be submitted to CO should be e-mailed to brad.hauser@epa.state.oh.us.

Site EPA ID No. Site Name Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number: OHD987031689		Website: (Optional)					
	Name: City of Athens Water Treatment Plant							
	Street Address: 395 West State Street							
	City, Town, or Village: Athens		State: OH					
County Name: ATHENS		Zip Code: 45701						
Private <input type="checkbox"/>		County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>

Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Crystal		MI: F.	Last Name: Kynard	
	Title: Plant Manager				
	Phone Number: 740 592-3344			Phone Number Extension:	
	E-Mail Address:				
	Fax Number:			Fax Number Extension:	
	Street or P.O. Box:				
	City, Town or Village:				
State: OH			Zip Code:		

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

VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--------------------------	---

TYPE OF HANDLER - MARK "X" AS APPROPRIATE

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

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

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

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

- | | |
|---|---|
| <input type="checkbox"/> Small Quantity Handler of Universal Waste | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste
(accumulates 5,000 kg. or more) | |

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

- Batteries
 Pesticides
 Mercury containing equipment
 Lamps

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

- Used Oil Generator
 Used Oil Transporter
 Used Oil Transfer Facility
 Used Oil Processor
 Used Oil Re-refiner
 Off-Specification Used Oil Burner
 Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
 Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

- College or University
 Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
 Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

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

D001 D002 D018 D039 D040

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

- | | | | |
|------------|---|--|--------------------------------------|
| Announced | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Additional Facility Representatives: |
| Tanks | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| Containers | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy)
Elizabeth Herron	Ken Mettler	6/14/2012

Comments:

WASTE ACTIVITIES SUMMARY

Facility Name: City of Athens

Facility Type: one time SQG, normally CESQG

EPA ID #: OHD987031689

Description of Waste				On-Site Management			Off-Site Management
Process Generating Waste	Waste Generated	EPA Waste Code	QTY Generated per Month	Type of Accumulation/ Storage	Type of On-Site Treatment	Waste Location	Name, state, and type of activity
Cleaning paint brushes	Spent solvent (Crown Brush Cleaner Packaging Service Co. Inc. Pearland TX www.packserv.com)	D001 D018 D039 D040	Last generation was 30 gallons on 9/14/09	Parts washer unit	None	Garage	Safety-Kleen, OH
Compressor Maintenance	Used Oil	NA	5 to 10 gallons per year	Drum	None	Garage	Safety-Kleen, OH
Facility Lighting	Spent lamps	Not evaluated	Varies	None	None	None	Disposed as a solid waste
Expired chemical	Hydrofluosilicic	D002	Not regularly generated	Drum	Disposed in facility's Brine Lagoon	Fluoride Tank Room	None
Expired chemical	Sodium Hydroxide	D002	Not regularly generated	Drum	None	Garage	Not yet determined
Leftovers from Water Line Chlorination	Sodium hypochlorite	D002	In frequent ¼ drum	Drum	Disposed in facility's Brine Lagoon	Garage	None

PROCESS DESCRIPTION

The City of Athens Water Treatment Plant is a municipal drinking water treatment plant. Water is treated using chlorine gas, caustic sodium hydroxide, and hydrofluosilicic acid.

The plant is normally a conditionally exempt small quantity generator of hazardous waste. However at the time of the inspection, they were a small quantity generator because of the amount of hydrofluosilicic acid and sodium hydroxide on-site that had been determined to be unusable and therefore a regulated waste.

REGULATORY HISTORY

This facility was last inspected on January 31, 2005. There were no violations.

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

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

GENERAL REQUIREMENTS

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<i>The facility did not adequately evaluate two drums of waste hydrofluosilicic acid and spent lighting generated at the facility.</i>		
2.	Has the generator obtained a U.S. EPA I.D. number? [3745-52-12]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
3.	Has the generator transported or caused to be transported hazardous waste to other than a facility authorized to manage the hazardous waste? [ORC 3734.02 (F)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
4.	Has the generator disposed of hazardous waste on-site without a permit or at another facility other than a facility authorized to dispose of hazardous waste? [ORC 3734.02 (E) & (F)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>On June 4, 2012, 55-gallons of waste hydrofluosilicic acid (a D002 hazardous waste) was disposed of on-site by pouring the waste into the plant's brine lagoon.</i>		
5.	Does the generator accumulate hazardous waste?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
NOTE: If the SQG does not accumulate or treat hazardous waste, it is not subject to 52-34 standards. All other requirements might still apply, e.g. manifest, marking, LDR, etc.		
6.	Has the generator accumulated hazardous wastes in excess of (180/270) days without a permit or an extension from the Director? [3745-52-34; ORC §3734-02(E)&(F)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
NOTE: SQG's shipping waste to a facility greater than 200 miles away can accumulate on-site for 270 days. [3745-52-34 (E)]		
7.	Is the generator accumulating more than 6,000 kg on site? [3745-52-34(D)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
NOTE: 6,000 kg = approximately 27, 55-gallon drums. If the facility is accumulating waste for greater than 180/270 days without an extension/permit or is accumulating greater than 6,000 kg on-site, it is classified as a storage facility and TSD standards apply. Complete applicable TSD checklists.		
8.	Does the generator treat hazardous waste in a:	
	a. Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Tank that meets 3745-66-101?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c. Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d. Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
NOTE: Complete appropriate checklist for each unit.		
NOTE: If waste is treated to meet LDRs, use LDR checklist.		

MANIFEST REQUIREMENTS		
9.	Are all hazardous wastes either reclaimed under a contractual agreement as defined in OAC rule 3745-52-20(E), or shipped off-site accompanied by a manifest (U.S. EPA Form 8700-22)? [3745-52-20(A)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
10.	Are wastes reclaimed under a contractual agreement? If so: [3745-52-0(E)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	a. Does the contractual agreement specify the type of waste and frequency of shipment?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Is the transport vehicle owned and operated by the reclaimer?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c. Is a copy of the reclamation agreement kept on-site for at least three years after termination/expiration of the agreement?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: If wastes are reclaimed under a contractual agreement and an answer to questions 10(a) through 10(c) is no, the generator is in violation of 3745-52-20 (A) (B) & (D), 3745-52-22 and 3745-52-23. Even if the waste is being reclaimed under agreement, LDRs still apply. Complete LDR checklist.</i>		
11.	Have items 1 through 20 of each manifest been completed? [3745-52-20(A)(1)] & [3745-52-27(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: U.S. EPA Form 8700-22(A) (the continuation form) may be needed in addition to Form 8700-22. In these situations, items (21) through (35) must also be complete. [3745-52-20(A)(1)]</i>		
12.	Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: The generator may designate on the manifest one alternative facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)]</i>		
13.	If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternative TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1)&(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have made a good faith effort to minimize their waste generation.</i>		
15.	If the generator received a rejected load or residue, did the generator:	
	a. Sign item 20 of the new manifest or item 18c of the original manifest? [3745-52-23(F)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Provide the transporter a copy of the manifest? [3745-52-23(F)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c. Send a copy of the manifest to the designated facility that returned the shipment with 30 days after delivery of the rejected shipment? [3745-52-23(F)(3)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
16.	If the generator did not receive a return copy of each completed manifest within 60 days of being accepted by the transporter did the generator submit to Ohio EPA, a copy of the manifest with some indication that the generator has not received confirmation of delivery? [3745-52-42(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
17.	Are signed copies of all manifests being retained for at least three years? [3745-52-40]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: A generator who sends a shipment of hazardous waste to a TSD facility with the understanding that the TSD facility can accept and manage the waste and later receives that shipment back as a rejected load or residue may accumulate the waste on-site for <90 days or <180 days depending on the amount of hazardous waste on-site in that calendar month. [3745-52-34(M)]</i>		
<i>NOTE: Waste generated at one location and transported along a publicly accessible road for temporary consolidated storage or treatment on a contiguous property also owned by the same person is not considered "on-site" and manifesting and transporter requirements must be met. To transport "along" a public right-of-way the destination facility has to act as a transfer facility or have a permit because this is considered "off-site." See "on-site" definition in OAC rule 3745-50-10.</i>		

PREPAREDNESS AND PREVENTION		
18.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-52-34(D)(5)(a)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
19.	Has the following been posted by the telephone: [3745-52-34(D)(5)(b)]	
	a. Name and telephone number of emergency coordinator?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	b. Location of fire and spill control equipment, and, if present, fire alarm(s)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	c. Telephone number of local fire department?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	<i>The required emergency information is not posted by the telephone.</i>	
20.	Are employees familiar with waste handling and emergency procedures? [3745-52-34(D)(5)(c)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
21.	Has the facility properly responded to all fires and spills? [3745-52-34(D)(5)(d)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
22.	Is the facility operated to minimize the possibility of fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste? [3745-65-31]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
23.	Does the generator have the following equipment at the facility if it is required due to actual hazards associated with the waste:	
	a. Internal Alarm system? [3745-65-32(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Emergency communication device? [3745-65-32(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c. Portable fire control, spill control and decon equipment? [3745-65-32(C)]?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	d. Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
24.	Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	a. Are inspections recorded in a log or summary? [3745-65-33]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
25.	Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (<i>unless the device is not required under OAC 3745-65-32</i>)? [3745-65-34(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
26.	If there is only one employee on the premises is there immediate access to a device (ex. phone, hand-held two-way radio) capable of summoning external emergency assistance (<i>unless not required under OAC 3745-65-32</i>)? [3745-65-34(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
27.	Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
28.	Has the generator attempted to familiarize emergency authorities with possible hazards and facility layout? [3745-65-37(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
29.	Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
SATELLITE ACCUMULATION AREA REQUIREMENTS		
30.	Does the generator ensure that satellite accumulation area(s):	
	a. Are at or near a point of generation? [3745-52-34(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c. Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

	d.	Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	e.	Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	f.	Containers are marked with the words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
31.		Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	a.	Did the generator comply with 3745-52-34(A)(1) through (4) or other applicable generator requirements within 3 days? [3745-52-34(C)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Did the generator mark the container(s) holding the excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: The satellite accumulation area is limited to 55 gallons of hazardous waste accumulated from a distinct point of generation in the process under the control of the operator of the process generating the waste (less than 1 quart for acute hazardous waste). There could be individual waste streams accumulated in an area from different points of generation.

USE AND MANAGEMENT OF CONTAINERS

32.		Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(D)(4)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
33.		Is the accumulation date on each container? [3745-52-34(D)(4)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

The containers of sodium hydroxide and hydrofluosilicic acid were not labeled with the words "Hazardous Waste" or with the accumulation date.

At the time of the inspection one 55-gallon drum of hydrofluosilicic acid and two 55-gallon drums of sodium hydroxide were not marked with the words "Hazardous Waste" or with accumulation dates.

34.		Are hazardous wastes stored in containers which are:	
	a.	Closed (except when adding/removing wastes)? [3745-66-73(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b.	In good condition? [3745-66-71]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c.	Compatible with wastes stored in them? [3745-66-72]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	d.	Handled in a manner which prevents rupture/leakage? [3745-66-73(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

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

35.		Is the container accumulation area(s) inspected at least once during the period from Sunday to Saturday? [3745-66-74]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a.	Are inspections recorded in a log or summary? [3745-66-74]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

Weekly inspections of the container accumulation area were not being conducted.

36.		Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
37.		If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B)? [3745-66-77(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
38.		If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B)? [3745-66-77(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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

PRE-TRANSPORT REQUIREMENTS		
39.	Does each generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, 3745-52-31 and 3745-52-32(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
40.	Does each container ≤119 gallons have a completed hazardous waste label? [3745-52-32(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
41.	Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>