



Environmental  
Protection Agency

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

Eval 8/11

Ent 8/14

August 23, 2012

Mr. Denny Nagel  
VisionMark, Inc.  
2309 Industrial Drive  
Sidney, OH 45365

**RE: Notice of Violation, VisionMark, Inc., OHD986968113**

Dear Mr. Nagel:

On ~~August~~<sup>July</sup> 31, 2012, I performed an inspection to determine VisionMark, Inc.'s compliance with Ohio's hazardous waste rules as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). As is our practice, my inspection was unannounced. You and Kari Fincik represented VisionMark. Our inspection began with a review of your processes. See the attached "Process Description Summary" for my understanding of your processes, wastes generated and a summary of our previous inspections. Our physical inspection included the paint room, the waste room, and the hazardous waste storage area located outside. We finished up with a review of employee training records, manifests and the contingency plan.

I found the following violations of the hazardous waste rules:

**Leak Detection System:** OAC 3745-66-93(C)(3) requires that secondary containment systems must, at a minimum, be equipped with a leak detection system that is designed and operated so that it will detect the failure of either the primary and secondary containment structure or any release of hazardous waste or accumulated liquid in the secondary containment within twenty-four hours, or at the earliest practicable time if the existing detection technology or site conditions will not allow detection of a release within twenty-four hours.

Although the rules do not state this in so many words, the rule is, in many cases equivalent to the following: For tanks managing hazardous waste that are provided secondary containment, there must be a physical separation (air gap) between the primary and secondary containment which is able to be monitored and allows any liquids leaking from the primary containment to be detected within twenty-four hours. There is a wide variety of detection methods that could be employed depending on the particular situation; electrical conductivity measurements, an interrupted light beam that triggers a signal, visual inspection, etc. VisionMark employs a visual standard; an employee looks at the secondary containment for visual signs of a leak. This method is completely appropriate and Ohio EPA has determined it to be compliant in previous inspections.

Mr. Denny Nagel  
VisionMark, Inc.  
August 23, 2012  
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items. Briefly, all equipment mentioned in the contingency plan should be listed. VisionMark is required to inspect (or test) these items at appropriate intervals to ensure they are able to be properly operated in the case of an emergency.

Enclosed you will find a copy of the LQG checklist, a process description summary, an LDR checklist, a tank inspection checklist and a universal waste checklist. Please call me at (937) 285-6090 if you have any questions about this letter or if I can assist you in any way.

Sincerely,



Tom Ontko  
Hazardous Waste Inspector  
Division of Materials and Waste Management

TO/tf

Enclosures

cc: George Strobel, Ohio EPA  
Robyn Winstead, Ohio EPA

**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.

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

**GENERAL REQUIREMENTS**

1.	If LDRs do not apply, does the generator have a statement that lists how the HW was generated, why LDRs don't apply and where the HW went? [3745-270-07 (A)(7)]	N/A	<input type="checkbox"/>
2.	Did the generator determine if the HW/soil must be treated to meet the LDR treatment standard prior to disposal? Generator knowledge or testing may be used. [3745-270-07(A)(1)]	Yes	<input type="checkbox"/>

*NOTE: This is done by determining if the HW /soil contains levels of constituents greater than the levels given in its LDR treatment standard in 3745-270-40. However, if a specific treatment method is given in 3745-270-40 for the HW, no determination is required [3745-270-07 (A)(1)(b)]. If soil, generator can choose to have soil treated to LDR levels given in 3745-270-49 (alternative treatment levels for soils).*

3.	Does the generator have documentation of how he determined whether the HW/soil meets or does not meet the LDR treatment standard in 2, above? [3745-270-07(A)(6)(a) or 3745-270-07(A)(6)(b)]	Yes	<input type="checkbox"/>
4.	Does the generator keep the documentation required in #2, above, on-site for at least three years from the last date the HW/soil was sent on-site/off-site for treatment/disposal? [3745-270-07(A)(8)]	Yes	<input type="checkbox"/>
5.	Does the generator generate a listed HW that exhibits a characteristic? If yes,	No	<input type="checkbox"/>
a.	Did the generator determine if the listed HW exhibits a characteristic that is not treated under the LDR treatment standard for the listed HW? [3745-270-09(A)]	N/A	<input type="checkbox"/>

*FOR EXAMPLE: F006 that exhibits the characteristic for silver or K062 that is corrosive, D002. Review LDR treatment standard in 3745-270-40 to determine what constituents the listed HW is treated for.*

6.	Did the generator determine if its characteristic HW contains underlying hazardous constituents that need to be treated? [3745-270-09(A)]	N/A	<input type="checkbox"/>
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*NOTE: This is done by evaluating which underlying hazardous constituents (UHC) are in the HW at levels above the universal treatment standards given in 3745-270-48. This requirement does not apply to high total organic carbon (i.e., contains >10% TOC) D001 wastes or listed HWs.*

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

7.	Did the generator treat his HW /soil on-site <u>to meet</u> the LDR treatment standard?	No	<input type="checkbox"/>
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*NOTE If Yes see question #16.*

8.	Did the generator send a one-time LDR notification form to the TSD with the first shipment to that facility?[3745-270-07(A)(2)]	Yes	<input type="checkbox"/>
9.	Did the generator resubmit the LDR notification form to the TSD when the HW changed or the generator used a new TSD? [3745-270-07(A)(2)]	N/A	<input type="checkbox"/>
10.	Does the generator have a copy of the LDR notification form on file?[3745-270-07(A)(2)]	Yes	<input type="checkbox"/>
a.	Is the form kept on file for three years after last HW shipped? [3745-270-07(A)(8)]	Yes	<input type="checkbox"/>

**NOTIFICATION FORM**

11.	Does the LDR Notification form contain the following information:		
a.	Manifest number of the first waste shipment to the TSD?[3745-270-07(A)(2)]	Yes	<input type="checkbox"/>
b.	Applicable waste codes (includes characteristic codes for a listed HW if applicable)? [3745-270-07(A)(2)]	Yes	<input type="checkbox"/>
c.	A statement that conveys that the HW is subject to LDRs and must be treated to meet LDR treatment requirements? [3745-270-07(A)(2)]	Yes	<input type="checkbox"/>
d.	A designation whether the HW is a wastewater or non-wastewater? [3745-270-07(A)(2)].	Yes	<input type="checkbox"/>

NOTE: A wastewater contains <1% by wt. total suspended solids(TSS) and <1% by wt. TOC. If you doubt the HW is a wastewater or non-wastewater, the HW can be tested using for example, Standard Methods (SM) 160.2 for TSS, SW-846 method 9060a for TOC.

e.	Designation of the waste subcategory when applicable? [3745-270-07(A)(2)]	Yes	
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NOTE: Subcategories are found on the LDR treatment standards table under the applicable waste code. Not all HWs have subcategories

f.	A listing of the underlying hazardous constituents for which a characteristic waste must be treated? [3745-270-07(A)(2)]	N/A	
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NOTE: Not required if the waste is high TOC D001 or the TSD tests its treatment residues for all underlying hazardous constituents.

g.	If the HW is F001-F005 or F039, did the generator note on the LDR form what solvents or constituents, respectively, the waste contains and must be treated for?[3745-270-07(A)(2)]	N/A	
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NOTE: Not required if the TSD tests its treatment residues for all underlying hazardous constituents.

**PROHIBITED DILUTION**

12.	Is the HW treated by burning? If No, go to #15.	No	
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13.	Is the HW a metal-bearing HW?	N/A	
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NOTE: Generally, metal-bearing HWs contain heavy metals above TCLP levels or were listed due to the presence of metals. A list of the restricted metal-bearing HWs are given in the Appendix to 3745-270-03.

14.	a.	Metal-bearing HWs cannot be incinerated, combusted or, blended and burned for fuel unless <b>one</b> of the following conditions apply. [3745-270-03(c)]	
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	i.	Contains > 1% TOC?	N/A
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	ii.	Contains organic constituents or cyanide at levels greater than the UST levels?	N/A
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	iii.	Is made up of combustible material e.g., paper, wood, plastic?	N/A
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	iv.	Has a reasonable heating value (e.g., > 5000 Btu)?	N/A
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	v.	Co-generated with a HW that must be combusted?	N/A
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	b.	If all responses to 14 a.i. through 14 a.v. are <b>Yes</b> , HW is being improperly treated by dilution, violation of 3745-270-03(C). Is HW being treated by dilution?	
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15.	Was the HW treated by wastewater treatment?	No	
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	a.	Is a LDR treatment method, other than DEACT or a numerical value, specified for the waste? [3745-270-03(B) and 3745-270-40(A)(3)]	N/A
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NOTE: If Yes, HW is improperly being treated by dilution.

	b.	Does the waste carry the D001 code <u>and</u> contain $\geq 10\%$ TOC?	N/A
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	c.	Does the wastewater treatment process include a process to separate/recover the organic phase of the waste?	N/A
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NOTE: If the answers to b & c are **Yes** and **No**, respectively, waste is improperly being treated by dilution and generator is in violation of [3745-270-03(B) and 3745-270-40(A)(3)].

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

**GENERATOR TREATMENT**

16.	Does the generator treat to meet LDRs on-site [3745-270-40(A)]?	No	
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	Did the generator treat his hazardous waste/soil on-site in a tank, container, drip pad or containment building to meet the LDR treatment standard?	N/A	
	If Yes...complete the rest of the checklist. If No...stop...you are done.		
a.	Does the generator have a written waste analysis plan (WAP) that describes the procedures he will follow to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)]	N/A	
b.	Did the generator use a detailed chemical and physical analysis of the HW/soil in order to develop the WAP? [3745-270-07(A)(5)(a)]	N/A	
c.	Does the WAP contain all information necessary to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)(a)]	N/A	
d.	Does the WAP include the testing frequency of the treated HW/soil to demonstrate that the LDR treatment standard is being met? [3745-270-07(A)(5)(a)]	N/A	
e.	Does the generator keep the WAP on-site? [3745-270-07(A)(5)(b)]	N/A	
f.	Is the WAP available for the inspector's review during the inspection? [3745-270-07(A)(5)(b)]	N/A	
<b>NOTIFICATION FORM</b>			
17.	a.	Contains all information in #11 a-g above and	Yes
	b.	If the treated HW/soil is listed.....notification contains the following certification statement:  I certify under penalty of law that I personally have examined and am familiar with the waste, through analysis and testing or trough knowledge of the waste, to support this certification that the waste complies with the treatment stands specified in rule 3745-270-40 to 3745-270-49 of the Administrative Code. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.	Yes
	c.	If the treated HW/soil no longer exhibits a characteristic and is no longer a HW, did the generator:	N/A
	i.	Send a one-time notification to the director?[3745-270- 09 (D)]	N/A
	ii.	Maintain a copy of the notice onsite?[3745-270-09(D)]	N/A
	iii.	Include in the notification: [3745-270-09(D)(1)(a)]	N/A
		1. Name & address of receiving landfill?	N/A
		2. Description of HW when generated?	N/A
		3. HW code when generated?	N/A
		4. Treatability group when generated?	N/A
		5. Underlying hazardous constituents present when generated?	N/A
	iv.	Contain the right certification statement as required by 3745-70-07(b)(4)?	N/A

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

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

Safety Equipment Used: safety glasses

**GENERAL REQUIREMENTS**

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes	
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?	No	
	b. Tank that meets 3745-66-90 to 3745-66-100 except 3745-66-97(C)?	No	
	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	Yes	
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	manifest? (U.S. EPA Form 8700-22) [3745-52-20(A)(1)]	
13.	Have items (1) through (20) of each manifest been completed? [3745-52-20(A)(1)]&[3745-52-27(A)]	Yes
<i>NOTE: U.S. EPA Form 8700-22(A) (the continuation form) may be needed in addition to Form 8700-22. In these situations items (21) through (35) must also be completed. [3745-52-20(A)(1)]</i>		
14.	Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)]	Yes
<i>NOTE: The generator may designate on the manifest one alternate facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)]</i>		
15.	If the transporter was unable to deliver a shipment of hazardous waste to the designated facility, did the generator designate an alternate TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)]	Yes
16.	Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1)&(2)]	Yes
<i>NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have a program in place to reduce the volume and toxicity waste they generate.</i>		
17.	If the generator 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)]	N/A
	b. Provide the transporter a copy of the manifest? [3745-52-23(F)(2)]	N/A
	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)]	N/A
18.	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
19.	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
20.	Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40]	N/A
<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 &lt;90 days or &lt;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 to be "off-site." For additional information see the definition of "on-site" in OAC rule 3745-50-10.</i>		
<b>PERSONNEL TRAINING</b>		
21.	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
22.	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)]	Yes
<i>NOTE: For facility employees that receive emergency response training pursuant to OSHA regulations, the facility is not required to provide separate emergency response training, provided that the overall facility training meets all the requirements of OAC 3745-65-16(A). [3745-65-16(A)(4)]</i>		
23.	Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)]	Yes

24.	Do new employees receive training within six months after the date of hire (or assignment to a new position)? [3745-65-16(B)]	Yes	
25.	Does the generator provide refresher training to employees during each period from January 1 <sup>st</sup> to December 31 <sup>st</sup> and does each training occur within 15 months after the previous training? [3745-65-16(C)]	Yes	
26.	Does the generator keep records and documentation of:		
	a. Job titles? [3745-65-16(D)(1)]	Yes	
	b. Job descriptions? [3745-65-16(D)(2)]	Yes	
	c. Type and amount of training given to each person? [3745-65-16(D)(3)]	Yes	
	d. Completed training or job experience required? [3745-65-16(D)(4)]	Yes	
27.	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	

**Kari does the training.**

<u>Job Performed</u>	<u>Name of Employee</u>	<u>Date Trained</u>
<u>paint room</u>	<u>Dean</u>	<u>compliant</u>

**CONTINGENCY PLAN**

28.	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	
29.	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	

*NOTE: If the facility already has a "Spill Prevention, Control and Countermeasures Plan" under 40 CFR Part 112 or some other emergency plan, the facility can amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with OAC requirements. The facility may develop one contingency plan which meets all regulatory requirements. Ohio EPA recommends that the plan be based on the "National Response Team's Integrated Contingency Plan Guidance (One Plan)." [3745-65-52(B)]*

30.	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	
31.	Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan? [3745-65-54]	No	
32.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55]	Yes	

*NOTE: The emergency coordinator shall be thoroughly familiar with: (a) all aspects of the facility's contingency plan; (b) all operations and activities at the facility; (c) the location and characteristics of waste handled; (d) the location of all*

records within the facility; (e) facility layout; and (f) shall have the authority to commit the resources needed to implement provisions of the contingency plan.

**EMERGENCY PROCEDURES**

33.	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(I)?	N/A

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

**PREPAREDNESS AND PREVENTION**

34.	Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31]	Yes	<input type="checkbox"/>
35.	Does the generator have the following equipment at the facility, if it is required due to actual hazards associated with the waste:		
a.	Internal communications or alarm system? [3745-65-32(A)]	Yes	<input type="checkbox"/>
b.	Emergency communication device? [3745-65-32(B)]	Yes	<input type="checkbox"/>
c.	Portable fire control, spill control and decon equipment? [3745-65-32(C)]	Yes	<input type="checkbox"/>
d.	Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)]	Yes	<input type="checkbox"/>

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

36.	Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33]	Yes	<input type="checkbox"/>
37.	Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33]	Yes	<input type="checkbox"/>
38.	Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under 3745-65-32)? [3745-65-34(A)]	Yes	<input type="checkbox"/>
39.	If there is only one employee on the premises, is there immediate access to a device (eg. phone, and hand held two-way radio) capable of summoning external emergency assistance (unless not required under 3745-65-32)? [3745-65-34(B)] <b>Corporate policy doesn't allow an employee to work alone.</b>	N/A	<input type="checkbox"/>
40.	Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35]	Yes	<input type="checkbox"/>
41.	Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)]	Yes	<input type="checkbox"/>
42.	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"/>

**SATELLITE ACCUMULATION AREA REQUIREMENTS**

43.	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"/>
b.	Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes	<input type="checkbox"/>

	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	
44.		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	

**VisionMark manages four five-gallon containers of waste paint and waste solvent under the SAA rules in the paint room. These buckets are poured into a 55-gallon steel drum in the paint room which serves as the source feedstock for the solvent still. The waste paint/solvent is regulated as a spent material and it is a D001 hazardous waste because of its low flash point.**

**For the purposes of this inspection, the 55-gallon drum is also considered to be an SAA container.**

**The still is considered part of the recycling process and is being evaluated.**

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

45.		Has the generator marked containers with the words "Hazardous Waste"? [3745-52-34(A)(3)]	Yes	
46.		Is the accumulation date on each container? [3745-52-34(A)(2)]	Yes	
47.		Are hazardous wastes stored in containers which are:		
	a.	Closed (except when adding/removing wastes)? [3745-66-73(A)]	Yes	
	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.*

48.		Is the container accumulation areas(s) inspected at least once during the period from Sunday to Saturday? [3745-66-74]	Yes	
	a.	Are inspections recorded in a log or summary? [3745-66-74]	Yes	
49.		Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76]	Yes	
50.		Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)]	N/A	
51.		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	
52.		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)]	N/A	

**No compatibility issues are expected with the acidic and ignitable wastes managed.**

53.	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)]	N/A
<p><b>VisionMark manages still bottoms resulting from the recovery of solvents from waste paint as F003, F005. These wastes are managed in an outside &lt; 90 day storage area which has been used at least since the 1996 inspection and perhaps before that. There were no wastes being accumulated in the waste storage area. All the wastes present during this inspection were managed either in the waste tank or under the SAA rules.</b></p>		
<p><b>PRE-TRANSPORT REQUIREMENTS</b></p>		
54.	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
55.	Does each container ≤119 gallons have a completed hazardous waste label? [3745-52-32(B)]	Yes
56.	Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33]	Yes

**Remark item #1—Rags wetted with solvent are used to remove paint from the raised surface of etched labels. In response to Ohio EPAs 12/4/2003 inspection, VisionMark changed the solvent from MEK to VM&P naphtha or lacquer thinner. Both these solvents are blends of lo-flash solvent. The rags contain no free liquid and are discarded with the solid waste.**

## PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name:		Facility Type: LQG		Date of Inspection:		EPA ID #:	
VisionMark, Inc.		OHD986968113		August 31, 2012		OHD986968113	
Waste Generated				On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.</small>	QTY Generated per Month, Type of Accumulation <small>(container, tank, etc) and location of waste accumulation area</small>	Type of On-Site Treatment <small>(recycle, wwt, etc)</small>	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities	
1 etching photo engravings	waste nitric acid/oil emulsion D001, D007	549 tons in CY 2009	managed in vertical tank in waste room	deep well injected at Vickery			
2 paint-related wastes	D001, F003, F005	< 1 ton in CY 2009		Spring Grove Resource Recovery			
3 dry rags used in painting signs	rags previously wetted w/ lo flash VM&P Naphtha or lo flash lacquer thinner	non-hazardous disposed as solid waste					
4 caustic photo- engraving developer			managed in vertical tank in waste room	deep well injected at Vickery			

5							
6							
7							
8							
9							

**REMARKS-GENERAL INFORMATION**

**General Process Information:**

**VisionMark, Inc. manufactures industrial signage and labels by photoengraving on zinc plate. Products include elevator buttons with raised Braille markings, fire tags alarm labels, etc. The raw zinc blanks are received with the light-sensitive emulsion that is resistant to acids (photoresist). The blank is exposed to UV-light through a photographic negative. The blanks are developed in a caustic solution which removes the emulsion that has not been exposed to UV. A nitric acidic/oil solution (85% water) washes over the part and dissolves the zinc surface that is no longer protected by the photoresist. The process also includes a cleaning step (de-scum) and some wash steps.**

**The spent acid/oil is the largest waste stream generated at the facility. The spent acid is hard-plumbed to a holding tank in another room. All the pumps, lines, and ancillary equipment are above-grade and are open to visual inspection their entire length.**

**Smaller amounts of a caustic waste (1 1/2 gallon per batch) are also piped to the same tank.**

The raised portions of some finished signs are painted a contrasting color from the base. The process includes removing the paint from the raised portion of the plate using a solvent-wetted cloth that has a rigid backing. Previously they used MEK and we cited a violation for not characterizing the rags. Now lacquer thinner or VM&P naphtha are used instead. The rags do not meet the definition of a characteristic hazardous waste unless they have low-flash free liquid. VisionMark operates a still for the recovery of low flash solvent which is used to flush the paint lines. They also manage four SAA containers in the paint room for paint waste.

### Regulatory/Enforcement History

Inspection Date--?? (letter dated August 2, 1996)

Violations cited

- no label on hazardous waste tank
- no contingency plan
- inadequate personnel training
- testing and record-keeping of emergency equipment
- inadequate inspections of accumulated hazardous waste

Inspection date—August 31, 1998 inspection (letter dated 10/16/98)

Violations cited

- testing and record keeping of emergency equipment
- testing and record keeping of ancillary tank equipment
- daily inspection of tank and record keeping
- failure to evaluate 5-gallon container of waste
- no written tank assessment

NOV dated January 12, 1998

During the RTC of the August inspection, we determined that an error was made in our review of the secondary containment volume. We cited the NOV which was eventually resolved by reviewing calculations. No physical changes were necessary.

Inspection date December 4, 2003 (letter dated 12/18/2003)

- Failure to characterize MEK wipes
- ORC 3745.02F violation for shipping MEK wipes w/o characterizing them
- No manifest for MEK wipes
- Incomplete information on waste paint manifest
- No employee training for several years
- No list of emergency equipment in contingency plan
- No evacuation routes in contingency plan
- No identification label on SAA container
- Open container of hazardous waste
- Missed weekly inspections of container storage area

No LDR forms for MEK wipes

Manifests lacks manifest # which refers to date of first shipment (LDR requirement)

Gaps and cracks in secondary containment system around tank

No daily inspections of tank

No daily inspections of secondary containment around tanks during weekends for 2 years

Accumulated liquids in secondary containment not removed within 24 hours

Waste acid flows thru floor drains that don't have secondary containment

Areas of concern that were not cited as violations

Ambiguity over adequacy of volume of secondary containment

Uncertainty over chemical resistance of water stops in secondary containment

Questions about acid resistance of coating on secondary containment

To address violations found in December 2003, VisionMark re-built the system of floor drains used to convey waste acid from the etch room to the waste room. The floor drains were taken out of service and the system was re-plumbed. Acid was re-routed thru an above-floor system of sumps, pipes and pumps which are all exposed for visual inspection. As-builts were found to verify the compatibility of water stops and concrete coatings with acid. The tanks themselves are protected by secondary containment and the appurtenances are open to visual inspection.

September 27, 2005

Date of negotiated DFFOs. VisionMark agrees to \$15,000- settlement.

November 20, 2008 inspection

Violations cited

Five open SAA containers in paint room

Open box of universal waste lamps.

Box of universal waste lamps doesn't have proper label.

All violations noted here were abated per the Division policy in effect at the time.

The actual waste tank, the < 90 day container storage area and VisionMark's processes have not changed during the time period under consideration.

Use of MEK wipes was discontinued in response to the 2008 inspection.

**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-Battery(ies)" or "Waste Battery(ies)" or "Used Battery(ies)"? [3745-273-14(A)] <b>No universal waste batteries were present during the inspection.</b>	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)] <b>No universal waste pesticides were present during the inspection.</b>	N/A

<b>UNIVERSAL WASTE MERCURY-CONTAINING EQUIPMENT</b>		
14.	Has mercury-containing equipment with non-contained elemental mercury or that shows evidence of leakage, spillage or damage that could cause leaks been placed in a container that is closed, structurally sound, compatible with contents of the device and lacks evidence of leakage, spillage or damage that could cause leakage and is designed to prevent escape of mercury into the environment by volatilization or any other means? [3745-273-13(C)(1)]	N/A
15.	If the mercury-containing ampules are removed, does the SQUWH: [3745-273-13(C)(2)]	N/A
	a. Remove and manage 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)]	N/A
	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)]	N/A
	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)]	N/A
	d. Ensure that employees are thoroughly familiar with the proper waste handling and emergency procedures? [3745-273-13(C)(2)(f)]	N/A
	e. Ensure that removed ampules are stored in closed, non-leaking containers that are in good condition? [3745-273-13(C)(2)(g)]	N/A
	f. Pack removed ampules in containers with packing material to prevent breakage during storage, handling and transportation? [3745-273-13(C)(2)(h)]	N/A
16.	If the open original housing holding mercury is removed from a mercury-containing equipment that does not contain an ampule, does the SQUWH: [3745-273-13(C)(3)]	N/A
	a. Immediately seal the original housing holding the mercury with an air-tight seal to prevent the release of any mercury to the environment? [3745-273-13(C)(3)(a)]	N/A
	b. Follow all requirements for removing ampules and managing removed ampules in accordance with 3745-273-13(C)(2)? [3745-273-13(C)(3)(b)]	N/A
17.	When removing mercury containing ampules from mercury-containing equipment or sealing mercury from its original housing if there are mercury or clean-up residues resulting from spills or leaks, and/or other waste generated (e.g., remaining mercury-containing device), 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)(4)(a)]	N/A
	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)(4)(b)]	N/A
18.	Is mercury-containing equipment or containers of mercury-containing equipment labelled either "Universal Waste-Mercury-Containing Equipment" or "Waste Mercury-Containing Equipment" or "Used Mercury-Containing Equipment"? [3745-237-14(D)(1)]	N/A
19.	Are mercury-containing thermostats or containers containing ONLY thermostats labeled either "Universal Waste-Mercury Thermostat(s)" or "Waste Mercury Thermostat(s)" or "Used Mercury Thermostat(s)"? [3745-	N/A

	273-14(D)(2) <b>No universal waste pesticides were present during the inspection.</b>	
<b>UNIVERSAL WASTE LAMPS</b>		
20.	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"/>
21.	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 <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>		
22.	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>		
23.	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 <input type="checkbox"/>
<b>NOTE: Accumulation is defined as date generated or date received from another handler.</b>		
24.	Is the handler able to demonstrate the length of time the universal waste has been accumulated? [3745-273-15(C)]  If yes, describe below:  <b>Ship more frequently than annually.</b>	Yes <input type="checkbox"/>
<b>EMPLOYEE TRAINING</b>		
25.	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>		
26.	Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]	N/A <input type="checkbox"/>
27.	Is the material released characterized? [3745-273-17(B)]	N/A <input type="checkbox"/>
28.	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 <input type="checkbox"/>
<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>		
29.	Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]	N/A
30.	Is the handler aware of DOT requirements for packaging and shipping? If no, make aware of 49 CFR 171-180.	N/A
31.	Prior to shipping universal waste off-site, does the originating handler ensure that the receiver agrees to receive the shipment? [3745-273-18(D)]	N/A
32.	Has the originating handler ever had an off-site shipment rejected by another handler or destination facility?	N/A
	a. If yes, did the originating handler receive the waste back or agree to where the shipment was sent? [3745-273-18(E)]	N/A
33.	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)]	N/A
34.	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>		
<i>NOTE: Small quantity handlers that export waste to the countries listed in 40 CFR 262.58(a)(1) are subject to 40 CFR 262 subpart H. Small quantity handlers that export waste to a foreign destination other than the countries listed in 40 CFR 262.58(a)(1) are subject to 40 CFR 262.53, 40 CFR 262.56(a)(1) to (a)(4), (a)(6), and (b), 40 CFR 262.57, and 40 CFR 262 subpart E. [3745-273-20]</i>		
<i>NOTE: Violations regarding exporting universal waste to foreign destinations should be referred to U.S. EPA Region 5 because the federal counterpart provisions are not delegable to states.</i>		

**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)] <b>The tank is fitted with an infra-red detector which is set to turn off the feed pump when the level of waste in the tank reaches a pre-determined level.</b>	Yes	<input type="checkbox"/>
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	<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.	Data from leak detection equipment each operating day? [3745-66-95(A)]	N/A	<input type="checkbox"/>
b.	Spill control equipment each operating day? [3745-66-95(B)(1)]	Yes	<input type="checkbox"/>
c.	Above ground portion of tank each operating day? [3745-66-95(B)(2)]	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(B)(3)]	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.	For tank systems using leak detection systems to alert facility personnel to leaks or implementing established workplace practices to ensure leaks are promptly identified, has the o/o documented: [3745-66-95(C)]	Yes	<input type="checkbox"/>
a.	Inspections of spill control equipment weekly?	Yes	<input type="checkbox"/>
b.	Inspections of above ground portion of tank weekly?	Yes	<input type="checkbox"/>
c.	Inspections of construction materials and area immediately surrounding the tanks for signs of erosion or release of hazardous waste weekly?	Yes	<input type="checkbox"/>
d.	Use of the alternate inspection schedule, including a description of the established workplace practices at the facility?	Yes	<input type="checkbox"/>
5.	For ancillary equipment NOT provided with secondary containment, has the o/o documented inspections of such equipment each operating day? [3745-66-95(E)] <b>The waste tank itself is placed in a bermed area which satisfies the requirement for secondary containment. The appurtances all lack secondary containment but these are inspected daily.</b>	Yes	<input type="checkbox"/>
6.	Where applicable, did the o/o inspect the cathodic protection system to confirm proper operation within six months of initial installation and annually thereafter? [3745-66-95(F)(1)]	N/A	<input type="checkbox"/>
7.	Where applicable, did the o/o inspect all sources of impressed current at	N/A	<input type="checkbox"/>

	least bi-monthly? [3745-66-95(F)(2)]	
<b>TANK SYSTEM CLOSURE REQUIREMENTS</b>		
8.	If the o/o has closed a <90 day tank, was closure completed in accordance with OAC 3745-66-97 (except for paragraph C)?	N/A
<b>TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES</b>		
9.	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)]	N/A
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	N/A
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	N/A
c.	The tank is used solely for emergencies? [3745-66-98(A)]	N/A
10.	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 (2008)? [3745-66-98(B)]	N/A
11.	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)]	N/A
a.	<b>If so</b> , have the requirements of 3745-65-17(B) been met? [3745-66-99(A) and/or (B)] <b>VisionMark manages etching acid wastes in a tank which is also used to manage small quantities of caustic waste. The caustic is added in one or two gallon quantities and the heat generated by the neutralization is not sufficient to raise the temperatures of the tank contents.</b> <b>Note that the two waste streams are incompatible wastes. They are not ignitable or reactive wastes.</b>	N/A
<b>TANK SYSTEM – WASTE ANALYSIS REQUIREMENTS</b>		
12.	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)] <b>The waste stored in tanks has not changed significantly.</b>	N/A
<b>TANK SYSTEMS REQUIREMENTS</b>		
13.	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
<i>NOTE: You should review the file to see if the written assessment has been previously reviewed and what the results were.</i>		
14.	Does the written assessment include the following: [3745-66-92(A)]	
a.	Certification by a qualified 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)]	N/A
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

**Documentation in SWDO files shows that the tank was placed into service in 1989. The tank was certified in response to our 1998 inspection. In response to our 2003 inspection, the ancillary piping system was rebuilt so that it could be inspected.**

15.	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)]	No
	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)]	No
b.	Statement that deficiencies were corrected before the tank system was covered or put into use? [3745-66-92(B)]	No
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)]	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
	<b>There are no existing written certifications for the installation of the tank itself. Certifications exist for the ancillary appurtenances when they were replumbed in response to our 2003 inspection.</b>	

**SECONDARY CONTAINMENT**

16.	Has secondary containment been provided? [3745-66-93(A)]	Yes
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*NOTE: Secondary containment must be provided for tank systems that store or treat materials that become hazardous wastes within two years after the hazardous waste listing, or when the system has reached 15 years of age, whichever comes later. [3745-66-92(A)(2)]*

17.	Is secondary containment one of the following:	
a.	An <b>External Liner</b> ? [3745-66-93(E)(1)] If so,	Yes
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? (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.	<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,	No	
	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	
<b>SECONDARY CONTAINMENT DESIGN/OPERATION/INSTALLATION</b>				
18.		Has each secondary containment system been designed, installed and 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)&(2)]	Yes	
19.		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)(1)]	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)] <b>The bottom of the waste tank is mounted flush to the floor. The floor of the bermed area serves as secondary containment. The system is NOT robust enough to detect a release from a hole in the bottom of the tank which releases to the environment thru a hole in the secondary containment under the tank. This deficiency went unnoticed by Ohio EPA in the previous four inspections.</b>	No	
	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	Yes	

	manner? [3745-66-93(C)(4)]	
<b>ANCILLARY EQUIPMENT REQUIREMENTS</b>		
20.	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?	N/A
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>		
21.	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
<i>NOTE: If the tank is found to be unfit for use, inspector should explain why.</i>		
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
<i>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.</i>		
22.	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 a qualified professional engineer attesting that the repaired unit is capable of handling hazardous waste? [3745-66-96(F)]	N/A
23.	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
24.	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

25.	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>	N/A
a.	Has the o/o complied with 3745-66-96(A) through (F), except (D), 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
26.	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>	N/A
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

VisionMark manages new and waste nitric acid in two cylindrical tanks located in a bermed area within the waste room. The tank holding the raw material acid (5335 gallon capacity) is mounted on cradles horizontally about three feet above the floor. The floor under this tank was found to be chipped during a daily inspection. The bermed area meets the standard of secondary containment and the entire area can be visually inspected and is open to allow access to spill control equipment.

The waste acid tank (4853 gallon capacity, constructed of fiberglass-reinforced plastic per engineers certification dated Dec 14, 1998) is mounted vertically and is flush to the floor. The bottom of this tank can not be visually inspected.

The waste acid tank was certified by a PE in December 1998 following the 8/31/98 inspection. Additional tank standards were evaluated in response to our 12/4/2003 inspection namely: acid resistance of secondary containment coating; capacity of secondary containment berm; replumbing the piping and appurtances supplying the waste tank so that they are all above-grade and can be inspected; documentation that water stops in the containment berm are acid-resistant.

SWDO files contain copies of documentation provided during previous inspections.